



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Thursday, the Fourteenth day of December, Two Thousand and Seventeen

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PRESENT

The Hon'ble Mr. Justice S. BASKARAN

CMP(MD) No.2671 and 2672 of 2017

IN

SA(MD) No.555 of 2013

ELANGO VAN

... PETITIONER/APPELLANT IN
BOTH THE PETITIONS

Vs

1 THAMARAI RAJENDRAN

2 THAMARAI VINOTHAN (DIED)

3 NANDHINI PRAKASH

4 MINOR. UMESHWER

5 MINOR MITHILESHA

(Minor respondents 4 & 5 represented through their mother and guardian 3rd respondent herein)

... RESPONDENTS/RESPONDENTS
IN BOTH THE PETITIONS

PRAYER IN CMP(MD)2671/2017:

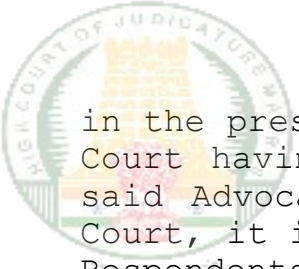
Petition filed under Order XXII Rule 9(2) of Civil Procedure Code, praying to set aside the abatement caused in respect of death of 2nd respondent in S.A(MD)No.555 of 2013.

PRAYER IN CMP(MD)2672/2017:

Petition filed under Order XXII Rule 4 of Civil Procedure Code, praying to bring on record the respondents 3 to 5 herein as legal heirs of the deceased 2nd respondent and implead them as respondents 3 to 5 in S.A(MD)No.555 of 2013.

PRAYER IN S.A(MD)No.555/2013:

Second Appeal filed under section 100 of Civil Procedure Code, against the Judgment and decree dated 17.04.2013 made in A.S.No.115/2010 on the file of the Principal Sub-Court, Dindigul confirming the Judgment and Decree dated 30.07.2010 made in O.S.No.524 of 2001 on the file of the Additional District Munsif Court, Dindigul.



in the presence of Mr.R.Gandhi, Advocate for the Petitioner and this Court having granted 3 weeks time as a condition precedent and the said Advocate not having complied with the said direction of this Court, it is ordered that these petitions do stand dismissed against Respondents No.3 to 5.

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/True copy/

Sd/
Assistant Registrar (CS-I)

Sub Assistant Registrar

ORDER DATED:14.12.2017

ORDER
CMP (MD) No.2671 and 2672 of
2017

IN
SA (MD) No.555 of 2013
Dismissing the Second
Appeal against the R3 to 5 for
non payment of Batta etc. as
stated within.

KK/PN/SAR-4/13.07.2018/2P-1C/