

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Wednesday, the Thirty First day of January Two Thousand Eighteen

PRESENT

THE HON`BLE MR.JUSTICE A.SELVAM

and

THE HON`BLE MR.JUSTICE P.KALAIYARASAN

CMP No.919 of 2018

in AS No.102 of 2012

M/S ROYAL SUNDARAM ALLIANCE CO [PETITIONER]
LTD, NO.46, WHITES ROAD,
CHENNAI 600 104.

Vs

1 M.GOVINDAN [RESPONDENTS]
2 MRS.RADHA GOVINDAN, (DIED)
3 SUNAL GOVIND
4 SAJISH GOVIND
5 SUJATHA
6 SUJAY GOVIND

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to set aside the order of abatement caused due to the death of the 2nd respondent in the above AS No.102/2012 pending AS No.102 of 2012.

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MS.C.HARINI for M/S.M.B.GOPALAN, Advocate for the petitioner the court made the following order:-

(Order of the Court was made by A.SELVAM,J.)

This petition has been filed praying to set aside the abatement caused due to the demise of the second respondent in

A.S.NO.102 of 2012.

2. It is averred in the petition that the petitioner as appellant, has filed A.S.No.102 of 2012 on the file of this Court and during pendency of the same, the second respondent has passed away. Since her legal heirs have not been brought on record within the stipulated time, A.S.No.102 of 2012 has become abated so far as the second respondent is concerned and in order to set aside the abatement, the present petition has been filed.

3. Considering the reason given in the petition, this petition can be allowed.

In fine, this petition is allowed.

-sd/-
31/01/2018

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE ADDITIONAL DISTRICT AND
SESSIONS JUDGE, FAST TRACK COURT NO.V,
CHENNAI.

C.C. to M/S.M.B.GOPALAN Advocate on payment of necessary charges

Order

in
CMP.919/2018

in
AS.102/2012

Date :31/01/2018

From 26.2.2001 the Registry is issuing certified
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VS 01.02.2018