

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 25TH DAY OF SEPTEMBER 2018

THE HON'BLE DR. JUSTICE ANITA SUMANTH

A.Nos. 1939 TO 1941 of 2018

IN

C.S.NO.855 OF 2013

Dharmaiah Pillai Thanneer Pandal Charity
Rep. by its Managing Trustee
Mr.C.Kamalakkannan
Registered Office at No.11,
Nancy Street, Purasawalkam,
Chennai-600 007.

.. Plaintiff

Vs.

1.Mr.L.Kannappa Chettiar
No.652/2, Dr.Ambedgar Street,
Raja Rajeswari Nagar,
Madipakkam, Chennai-600 091.

2.Mr.R.Victor Raj
No.A2, First Street,
Sarojinipuram, Kalakadu,
Nankuneri,
Thirunelveli District.

3.Mr.Alhazee A.N.F.Habeebullah
No.18/282, Purasawalkam High Road,
Purasawalkam Chennai-600 007.

.. Defendants

A.Nos.1939 to 1941 of 2018

Dharmaiah Pillai Thanneer Pandal Charity
Rep. by its Managing Trustee
Mr.C.Kamalakkannan
Registered Office at No.11,
Nancy Street, Purasawalkam,
Chennai-600 007.

.. Applicnat/Plaintiff

Vs.

1. Mr. L. Kannappa Chettiar (Deceased)
No.652/2, Dr.Ambedgar Street,
Raja Rajeswari Nagar,

Madipakkam, Chennai-600 091.

2.Mr.R.Victor Raj
No.A2, First Street,
Sarojinipuram, Kalakadu,
Nankuneri,
Thirunelveli District.

3.Mr.Alhazee A.N.F.Habeebullah
No.18/282, Purasawalkam High Road,
Purasawalkam Chennai-600 007.

.. Respondents 1-3/Defendants 1-3

4. Mrs.Sushila,
Daughter of L.Kannappan,
Old No.16, New No.20,
Subramanian Colony,
M.G.Road, Thiruvannamiyur,
Chennai 600 041.

...4th Respondent/Proposed Defendant

A.No.1939 of 2018

Original Application praying that this Hon'ble Court be pleased to condone the delay of 137 days in filing the application to set aside the batement of the 1st Respondent.

A.No.1940 of 2018

Original Application praying that this Hon'ble Court be pleased to set aside abatement of the 1st Respondent in C.S.No.855 of 2013.

A.No.1941 of 2018

Original Application praying that this Hon'ble Court be pleased to this Hon'ble Court may not bring on record the 4th Respondent herein as a party Defendant in the present suit in C.S.No.855 of 2013.

These Original Applications coming on this day before this court for hearing, the court made the following order:

After several hearings in the matter, learned counsel for the applicant states that he wishes to withdraw these applications, since the proposed 4th respondent sought to be impleaded as the legal heir of the first respondent is not really his legal heir at all.

2. He is permitted to withdraw these application upon an endorsement being made in this regard.

3. Liberty is granted, if the legal heirs of first respondent are ascertained at any time in the future, to file applications for their impleadment .

4. Parties to circulate draft issues.

5. List the matter on 10.10.2018 under the caption 'for framing issues'.

Sd/.A.S.M.J

25.09.2018

//Certified to be a true copy//

Dated this the th day of 2018.

KY/01.10.2018

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.

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