



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Friday, the Twelfth day of January Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR

CMP(MD) Nos.988 to 990 of 2017

IN

SA(MD) No.423 of 2012

1 VIVEKANANDAN
NAGARAJAN, (DIED)

2 DHAMOTHARAN
3 GANESAMOORTHY
4 GUNASEKARAN
5 VILVANATHAN

... PETITIONERS 1 to 5/ APPELLANTS
1,3 to 6 IN ALL THE PETITIONS

Vs

PAULSAMI (DIED)

1 THILLAIYAMMAL
2 KALI
3 RAMUTHAI
4 RATHI
5 MARIYAMMAL

... RESPONDENTS 1 to 5/PROPOSED
RESPONDENTS 2 to 6
IN ALL THE PETITIONS

Prayer in CMP(MD) No.988 of 2017 IN SA(MD) No.423 of 2012:

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condone the delay of 359 days in seeking to set aside the abatement caused due to the death of the sole respondent namely Paulsami.

Prayer in CMP(MD) No.989 of 2017 IN SA(MD) No.423 of 2012:

to set aside the abatement caused due to the death of the sole respondent namely Paulsami in the above Second appeal

Prayer in CMP(MD) No.990 of 2017 IN SA(MD) No.423 of 2012:

to bring on respondents 1 to 5 herein as legal heir of the deceased respondent namely Paulsami in the above Second appeal and to record their as the respondents 2 to 6 in the above Second Appeal

Prayer in SA(MD). 423/ 2012 :

To allow this second appeal by setting aside the judgment and decree made in A.S.No. 13/2011 dated 27.04.2012 on the file of the Principal District Court, Ramanathapuram reversing the judgment and



decree made in O.S.No. 36/2006 dated 10.08.2011 on the file of the Sub-Court, Paramakudi and thus render justice.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.M.THIRUNAVUKARASU for M/S.J.SURESH, Advocate for the petitioner in all the petitions and of MR.V.SITHARANJANDAS, Advocate for the Respondents in all the petitions, the court made the following order:-

Learned counsel for the petitioners submits that in view of the fact that similar applications in C.M.P.(MD)Nos.191 to 193 of 2018 are filed for same relief with correct particulars of the legal heirs of the deceased sole respondent, these petitions are not necessary. Learned counsel for the petitioners seeks indulgence of this Court to withdraw these petitions and he has also made an endorsement to that effect.

2. Hence, the petitions are dismissed as withdrawn.

sd/-
12/01/2018

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE PRINCIPAL DISTRICT JUDGE
RAMANATHAPURAM
- 2 THE SUBORDINATE JUDGE,
RAMANATHAPURAM

ORDER
IN
CMP(MD) Nos.988 to
990 of 2017
IN
SA(MD) No.423 of 2012
Date :12/01/2018

SMA/CM-VR/SAR-1/22.01.2018:2P/3c