



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

Wednesday, the Fourth day of July Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice K.RAVICHANDRABAABU

CMP(MD) Nos.5724 to 5726 of 2018

IN

SA(MD) No.42 of 2005

1 CHELLAMUTHU GOUNDER (DIED)
2 PALANIAMMAL
3 SARASWATHI
4 CHELLADURAI
5 SELVARANI

... PROPOSED PETITIONERS/
LRS OF THE SOLE APPELLANT
IN ALL THE PETITIONS

Vs

1 THIRUMALAISAMI GOUNDER,
2 VALLIAMMAL
3 GOVINDASAMY
4 THIRUMALAISAMY

... RESPONDENTS/RESPONDENTS
IN ALL THE PETITIONS

Prayer in CMP(MD).5724/2018 IN SA(MD)No.42/2005:

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 1323 days in filing to set aside the abatement caused by the death of Chellamuthu Gounder, the Sole Appellant in the above Second Appeal and render justice.

Prayer in CMP(MD).5725/2018 IN SA(MD)No.42/2005:

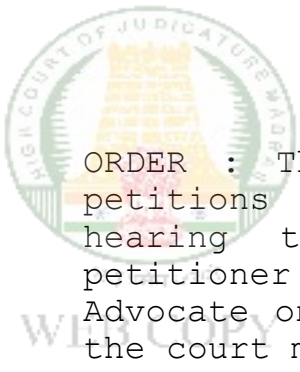
To set aside the abatement caused by the death of Chellamuthu Gounder, the Sole Appellant in the above Second Appeal and render justice.

Prayer in CMP(MD).5726/2018 IN SA(MD)No.42/2005:

To bring on record the Proposed Petitioners 2 to 5 herein who are the Legal Representatives of the deceased Sole Appellant Chellamuthu Gounder in the above Second Appeal and rank them as Appellants 2 to 5 in the above Second Appeal and thus render justice.

Prayer IN SA(MD)No.42/2005:

To prefer the Memorandum of Grounds of Second Appeal against the Judgment and Decree passed in A.S.No.34 of 1998 on the file of Subordinate Judge, Palani, dated 21.01.2004 confirming the Judgment and decree passed in O.S.No.149 of 1995 on the file of District Munsif Court, Palani, dated 18.03.1998.



ORDER : These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of MR.R.NANDAKUMAR, Advocate for the petitioner in all the petitions and of MR.G.PRABHU RAJADURAI, Advocate on behalf of the Respondents 1 to 3 in all the petitions, the court made the following order:-

The learned Counsel appearing for the petitioners seeks permission of this Court to withdraw these petitions with liberty to file fresh petitions, since there is a defect in the affidavit filed in support of the petitions, as the same were not attested by an Advocate.

2.Granted such liberty, these petitions are dismissed as withdrawn.

sd/-
04/07/2018

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

TO

- 1 THE SUBORDINATE JUDGE, PALANI.
- 2 THE DISTRICT MUNSIF, PALANI.

ORDER IN
CMP(MD)Nos.5724 to 5726 of 2018
IN
SA(MD) No.42 of 2005
Date :04/07/2018

PK/RR/VK/11.07.2018 : 2P/3C