



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

Monday, the Seventeenth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice T.KRISHNAVALLI

CMP(MD) Nos.10677 to 10679 of 2018

IN

SA No.263 of 2003

1 KAMATCHI CHETTIAR
(DECEASED SOLE APPELLANT)

2 K.GANAPATHI ... PETITIONER/L.R. OF THE DECEASED
SOLE APPELLANT
IN ALL THE PETITIONS

Vs

S.J.PREMKUMAR ... RESPONDENT/RESPONDENT
IN ALL THE PETITIONS

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 1121 days in filing the application to set aside the abatement of the deceased K.Kamatchi Chettiar the sole appellant in the above Second Appeal in SA(MD)No.263 of 2003 on the file of this Honourable Court and thus render justice.

PRAYER IN CMP(MD) No.10678 of 2018

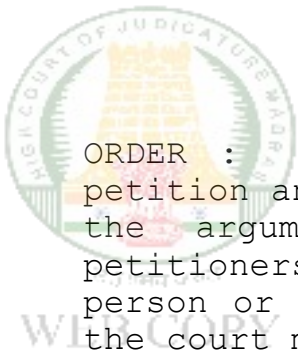
To set aside the abatement of the above SA No.263 of 2003 on the file of this Honourable Court for the reason of not bringing the legal representative, of the deceased sole Appellant K.Kamatchi Chettiar on record and thus render justice.

Prayer in CMP(MD). 10679/ 2018 :

Pleased to bring the petitioner herein on record as the legal representative of the deceased sole Appellant K.Kamatchi Chettiar by ranking him as the 2nd appellant in the above Second Appeal in S.A.(MD)No.263 of 2003 on the file of this Honble Court and thus render justice.

Prayer in SA No.263 of 2003

To set aside the decree and judgment dated 31.10.2002 rendered in A.S.No. 37 of 2002 on the file of the Additional District Judge (Fast Track Court), Virdhunagar, confirming the decree and the judgment dated 29.10.1999 rendered in O.S.No. 276 of 1996 on the file of the District Munsif of Virdhunagar, by allowing this Second Appeal and to grant such other relief or reliefs.



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.P.JESSI JEEVA PRIYA, Advocate for the petitioners, in all the petitions, and of not appeared either in person or by an Advocate for the respondent, in all the petitions, the court made the following order:-

These Civil Miscellaneous Petitions have been filed to condone the delay of 1121 days in filing the petitions to bring on record the Legal heirs of the deceased sole appellant/K.Kamatchi Chettiar to set aside the order of abatement caused on the death of the sole appellant and to bring on record the legal heirs of the deceased sole appellant in the main appeal.

2.Heard the learned counsel appearing for the petitioner. There is no representation for the respondents, already sufficient time is given.

3.Being satisfied with the reasons stated in the affidavit filed in support of these petitions and in the interest of justice, these petitions are allowed on payment of Rs.3,000/- (Rupees Three Thousand only) to the Mediation Centre within a period of one week from the date of receipt of a copy of this order, failing which these petitions shall stand dismissed automatically without further reference to this Court.

sd/-
17/12/2018

/ TRUE COPY /

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

TO

1 THE ADDITIONAL DISTRICT JUDGE
(FAST TRACK COURT), VIRUDHUNAGAR

2 THE DISTRICT MUNSIF, VIRUDHUNAGAR

COPY TO:- THE COORDINATOR,
MEDIATION AND CONCILIATION CENTRE
MADURAI BENCH OF MADRAS HIGH COURT,MADURAI

ORDER IN
CMP(MD) Nos.10677 to 10678 of 2018
IN
SA No.263 of 2003
Date :17/12/2018