

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.01.2019

Coram

The Honourable Ms. Justice P.T.ASHA
C.M.P.Nos. 13170 & 11280 of 2002 in
S.A.No.SR24311 of 2002

1. The State of Tamil Nadu
Rep. by its District Collector,
Kanniyakumari District,
Nagercoil.
2. The Tahsildar,
Agastheeswaram Taluk,
Nagercoil.
3. The Village Officer
Kanniyakumari Village,
Kanniyakumari District. Petitioners/Appellants

Versus

1. Ganapathia Pillai
2. Meenakshi Sundaram
3. Palania Pillai
4. Gopalakrishna Pillai
5. Sankara Narayana Pillai
6. Velappan Pillai
7. Subramania Pillai
8. Murugesan
Railway Station Master
Cholavandan
Madurai District.
9. Somaiya
The Administrative Officer,
Tiruchendur Taluk
Tirunelveli District ... Respondents/ Respondents

PRAYER: This Civil Miscellaneous Petition is filed under Order 41 Rule 39(A) R/W. Section 5 of the Limitation Act, prayed that to condone the delay of 383 days in filing and 123 days in Respectively the above second appeal.

Prayer in S.A.No.SR24311 of 2002:

Memorandum of Grounds of Second appeal Against the Judgment and decree dated 29.11.2000 made in AS.9/2000 on the file fo the Additional Sub Court,NagarCoil confirming the Judgment and decree dated 24.04.1999 made in OS.540/86 on the file fo the District Munsif court, Nagarcoil.

For Appellants : Mr.S. Jaganathan,
Govt. Pleader (CS)

JUDGMENT

In the above matters, it is seen that the respondents 2 and 3 were plaintiffs in the above suit in O.S.No.540/1986. It is reported that they died as early as in the year 2010. Till date, no steps have been taken to bring on record, the legal heirs of the deceased respondents 2 and 3.

2.These applications are, therefore, stand abated against respondents 2 and 3, since the suit is one filed by all the plaintiffs for declaration and injunction as also for a rectification of the revenue records. The Second Appeal also stands dismissed as abated insofar as respondents 2 & 3. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

jrs

To

1. The Additional Sub Court,
Nagercoil.
2. The District Musnif,
Nagercoil.

Copy to :
The Record Keeper,
VR Section,
High court
Madras

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in
S.A.No.SR24311 of 2002

A.SK(12/03/2019)