

C.M.P.No.2586 of 2007
and
CMP.Nos.16413 to 16415 of 2019
and
C.M.P.Nos.1697,1702 and 1706 of 2019
in
S.A.No.310 of 1996

RMT.TEEKAA RAMAN,J.,

The learned counsel for the respondent in Second Appeal No.310 of 1996 has submitted that pursuant to the order of dismissal of Second Appeal dated 03.02.2006, C.M.P.No.25886 of 2007 has been filed by the appellant praying to condone the delay of 38 days in filing petition to restore the Second Appeal.

2. Meanwhile, as the first respondent died and the learned counsel for the appellant has filed to bring on record the legal heirs of the deceased first respondent-Chockalingam in C.M.P.Nos.16413 to 16415/2019 and the present C.M.P.Nos.1697, 1702 and 1706 of 2019 are filed to amend the plaint.

3. Today, when the matter came up before this Court, after order of the dismissal of Second Appeal, E.P No.16/13 in O.S.No.5 of 99 was filed before the learned District Munsif cum Judicial Magistrate at Uttiramerur for delivery of the suit property and after observing the formalities and after service being effected the delivery has been handed over to the plaintiff on 16.08.2007 vide decree delivery receipt and the same was recorded in the said E.P proceedings and E.P was terminated after recording delivery of possession.

RMT.TEEKAA RAMAN.J.,

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4. In such being the case, C.M.P.No.2586 of 2007, to condone the delay of 38 days in filing to restore the Second Appeal is dismissed. Consequently, the other C.M.Ps as stated above, have unwarranted and the same are hereby closed.

27.08.2019

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