

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.03.2019

Coram

The Honourable Mr. **Justice V. BHARATHIDASAN**

C.M.P.No.19258 of 2005

and

M.P.No.1 to 3 of 2010

in

S.A.No.Sr.30982 of 2005

1. Sankaran
2. Lakshmi
3. Manjamadha
4. Vali ... petitioners in all M.Ps.

Vs.

1. Madhiyalagan
2. Senthamilselvan (deceased)
3. Muthamilselvan
4. Tamilazhagan ... Respondents in all M.Ps.

5. Mallika

6. Raju

7. Rasa

8. Vimal

9. Minor Subha ... Proposed Respondents

(respondents 5 to 9 are legal representatives
of the deceased 2nd respondent Senthamilselvan)

PRAYER in CMP.19258 of 2005 : This Civil Miscellaneous Petition
is filed under Section 5 of the Limitation Act to condone the delay of
119 days in filing the Second Appeal.

PRAYER in MP.1 of 2010 : This Miscellaneous Petition is filed under Section 5 of the Limitation Act to set aside the abatement caused due to the death of the 2nd respondent viz., Senthamilselvan in the above S.A.SR.No.30982 of 2005 .

PRAYER in MP.2 of 2010 : This Miscellaneous Petition is filed under Order 22 Rule 9(2) of CPC to set aside the abatement caused due to the death of the 2nd respondent viz., Senthamilselvan in the above S.A.SR.No.30982 of 2005 .

PRAYER in MP.3 of 2010 : This Miscellaneous Petition is filed under Order 22 Rule 4 of CPC to bring on record the proposed respondents respondents 5 to 9.

Prayer in S.A.Sr : The Second appeal has been filed under Section 100 of the Civil Procedure Code to set aside the judgment and decree dated 09.08.2004 made in A.S.No.57 of 2004 on the file of the Court of Principal Subordinate Judge, Virudhachalam, confirming the judgment and decree dated 13.12.2002 made in O.S.No.1468 of 1989 on the file of the Court of the Principal District Munsif, Virudhachalam.

For Appellant : No appearance

JUDGMENT

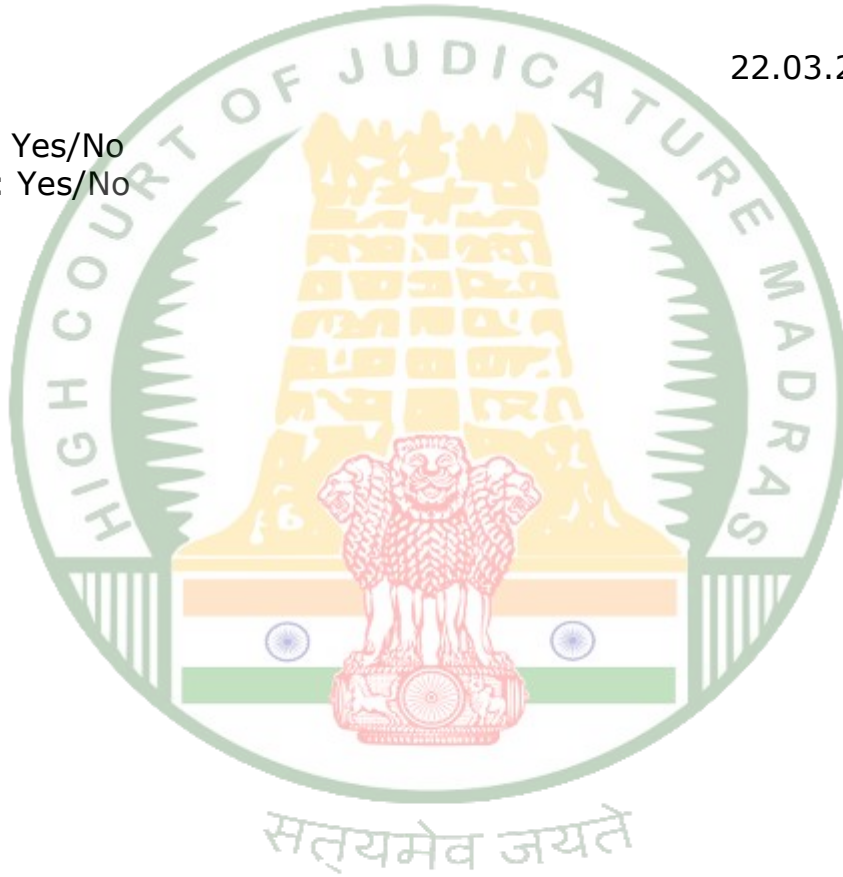
When the above Miscellaneous Petitions were posted for hearing on 22.03.2019, the learned counsel appearing for the petitioners submits that he has no instruction from the appellant.

Hence, the matter was posted today printing the name of the

appellants. Today, (22.03.2019), when the matter is called there is no representation on behalf of the appellants. Hence, the Miscellaneous Petitions are dismissed for non prosecution. No costs. Consequently, S.A. Sr is closed.

22.03.2019

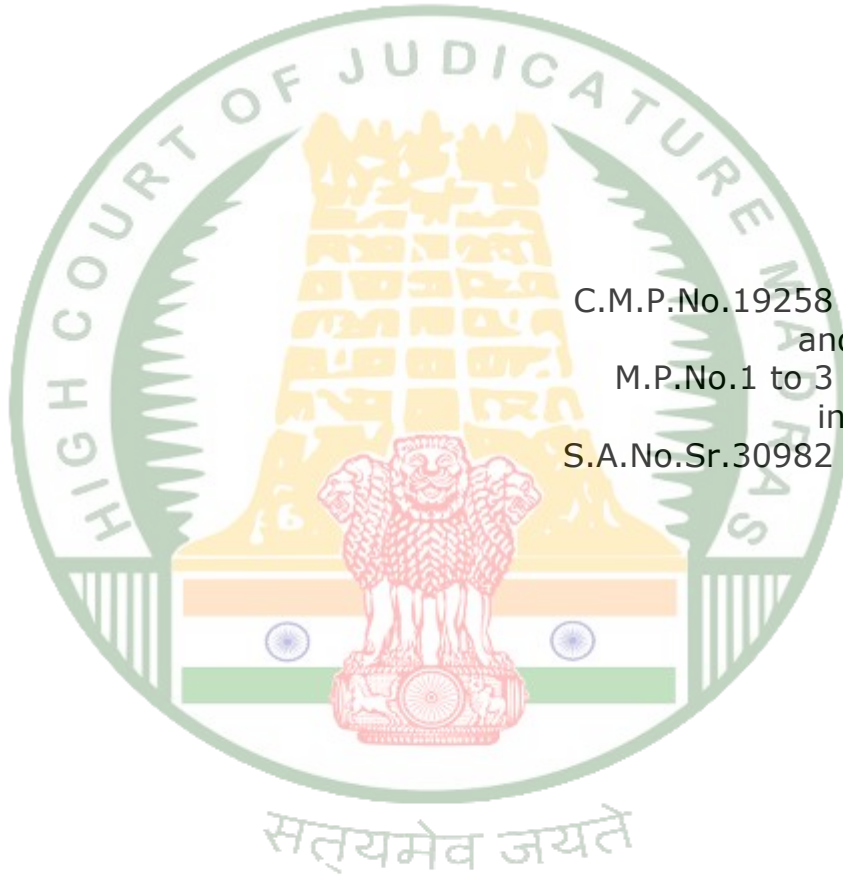
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V. BHARATHIDASAN,J.,

mrp



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