



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

Friday, the Seventh day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR

C.M.P. (MD) .Nos.6107 to 6109 of 2016
in C.R.P. (MD) .No.330 of 2005

1 KALIDASS (DIED)
2 KUMAR
3 JANAKIAMMAL
4 VIJAYALAKSHMI
5 MANIKANDA PRABU
6 VANI DEVI
7 SARAVANA BABU

... PETITIONERS/ PETITIONERS/
PETITIONERS
IN ALL THE PETITIONS

Vs

1 PERIASAMY NADAR (DIED)

... 1st RESPONDENT/ 1st RESPONDENT/
1st RESPONDENT
IN ALL THE PETITIONS

2 P.CHELLAMMAL
3 P.PRABHU

... RESPONDENTS 2 & 3/
PROPOSED RESPONDENTS 2 & 3

PRAYER IN C.M.P. (MD) .No.6107 of 2016:

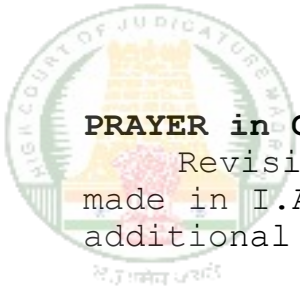
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condone the delay of 1682 days in filing the application for seeking to set aside the abatement caused due to the death of deceased sole respondent viz., periyasamy nadar in the above CRP(MD)No.330 of 2005.

Prayer in CMP(MD) . 6108/ 2016 :

To set aside the abatement caused due to the death of the sole Respondent viz., Periyasamy Nadar in the above CRP(MD)No.330 of 2005.

Prayer in CMP(MD) . 6109/ 2016 :

To bring on record the proposed Respondents 2 & 3 herein as the legal heirs of the deceased sole Repondent viz., Periyasamy Nadar and rank them as the Respondents 2 & 3 in the above Revision in CRP (MD) NO.330 of 2005.



PRAYER in C.R.P. (MD) .No.330 of 2005:

Revision filed against fair and decretal order dated 19.07.2004 made in I.A.No.167 of 2004 in O.S.No.128 of 2004 passed by the First additional District Munsif Court, Tirunelveli.

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.M.P.SENTHIL, Advocate for the petitioners in all the petitions, and respondent not appeared either in person or by an advocate, the made the following order:-

These petitions have been filed to condone the delay of 1682 days in filing the application to set aside the abatement caused due to the death of sole respondent in the Civil Revision petition, to set aside the abatement caused due to the death of sole respondent and to bring on record the legal representatives of the deceased sole respondent.

2.The reasons stated in the affidavit filed in support of these petitions are acceptable and this Court is of the view that the delay has been properly explained. However, the delay is inordinate. Hence, these petitions are ordered on condition that the petitioners pay a sum of Rs.2,000/- to the Bubbles Day Care, being run by the Women Lawyers Association, Madurai Bench of Madras High Court, Madurai, from the date of receipt of a copy of this order. Failing which, these petitions stand dismissed automatically without any reference to this Court.

sd/-

07/06/2019

/ TRUE COPY /

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

TO
THE FIRST ADDITIONAL DISTRICT MUNSIF,
TIRUNELVELI.

COPY TO:

THE OFFICER INCHARGE,
BUBBLES DAY CARE,
BEING RUN BY THE WOMEN LAWYERS ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
C.M.P. (MD) .Nos.6107 to 6109 of 2016
IN CRP (MD) No.330 of 2005
Date :07/06/2019