

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2020

CORAM

THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

CMP Nos.11065, 11066, 11067 of 2018
in
CRP No.2256 of 2012

V.R. Dhanapal Chetty (died)

1. Rukkumani ammal

2. Lakshmanan

3. Venugopal

4. Kausalya

5. Mohana

6. Kalpana

...Petitioners

Vs.

1. V.R. Gangadhara Chetty (died)

2. Fasalur Rahaman

3. Chottabai @ Nizar Ahamed

4. Rajammal

5. Devaraj

6. Lakshmi

7. Jamuna

8. Thilaka

...Respondents/Proposed Lrs of deceased 1st Respondent

Respondents 4 to 8 are proposed L.Rs of deceased
first respondent

Prayer in CMP No.11065 of 2018 : Civil Miscellaneous Petition filed under Section 5 of the Limitation Act to condone the delay of 103 days in filing petition seeking to set aside the abatement caused due to the death of the first respondent in the above revision.

CMP.NO.11066/18: Civil Miscellaneous Petition filed Under Order XII Rule 9 read with Section 151 CPC may be pleased to set aside the abatement caused due to the death of the 1st respondent.

CMP.NO.11067/18: Civil Miscellaneous Petition Under order XXII Rule 4 may be pleased to bring on record the respondents 4 to 8 herein namely 1 Rajammal 2. Devaraj 3. Lakshmi 4 Jamuna and 5 Thilaka as the legal representatives of the deceased 1st respondent in the CRP.

Civil Revision Petition: Civil Revision Petition filed under Section 115 of CPC against the order and Decreetal order dated 27.03.2012 made in E.A.No.129 of 2011 in E.P.No.279 of 1994 in O.S.No.865 of 1983 on the file of the District Munsif Court, Gudiyattam, Vellore District.

For Petitioners : Mr. T.Dhanyakumar
For RR 4 to 8
(Proposed respondents) : Mr. K.A Ravindran

ORDER

This Civil Miscellaneous Petition in CMP No. 11065 of 2018 is filed to condone the delay of 103 days in filing the petition seeking to set aside the abatement caused due to the death of the first respondent.

2. The learned counsel for the proposed respondents 4 to 8 stated that with regard to the dispute, the Second Appeal in S.A.No.1537 of 2003 has also been dismissed as abated by order dated 09.12.2019 and hence nothing survives in this petition.

3. Taking note of the fact that no acceptable explanation has been offered for condoning the delay, CMP No. 11065 of 2018 is dismissed and consequently, CMP Nos.11066 and 11067 of 2018 filed to set aside the abatement caused due to the death of the first respondent and to bring on records the respondents 4 to 8 as the legal representatives of the deceased 1st respondent

respectively are also dismissed. Consequently, CRP No.2256 of 2012 is dismissed as abated.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

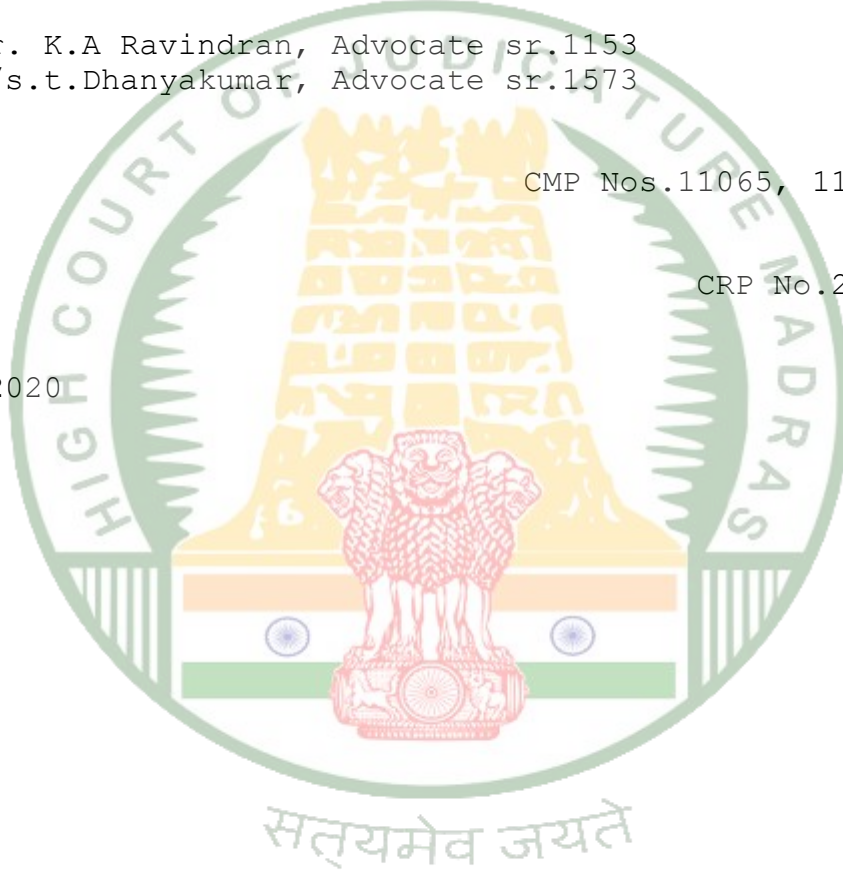
TO:

THE DISTRICT MUNSIF COURT,
GUDIYATTAM, VELLORE DISTRICT.

+1cc to Mr. K.A Ravindran, Advocate sr.1153
+1cc to M/s.t.Dhanyakumar, Advocate sr.1573

CMP Nos.11065, 11066, 11067
of 2018
in
CRP No.2256 of 2012

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