

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 21ST DAY OF AUGUST 2020

THE HON'BLE MS.JUSTICE P.T.ASHA

A.Nos.8801 and 8802 of 2019
and
C.S. No.38 of 2015

1.Mr.R.Seshasayee,
S/o.Late K.Rangaswamy,
New Door No.15, Old Door No.228-C,
Kilpauk Garden Road, Kilpauk,
Chennai-600 010.

2.Mrs.Saraswathi Seshasayee(*)
W/o.R.Seshasayee,
New Door No.15, Old Door No.228-C,
Kilpauk Garden Road, Kilpauk,
Chennai-600 010

... Plaintiff

The 2nd Plaintiff impleaded as per order (*)
dated 05.04.2018 in App.No.1534/2018 and
order dated 12/06/2018.

-Versus-

1. Mrs.Uma Vaidyanathan,
W/o.Mr.S.Vaidyanathan,

2. Mr.V.Akshay,
S/o.Mr.S.Vaidyanathan,
1 & 2 are residing at
New Door No.15, Old Door No.228-C,
Kilpauk Garden Road, Kilpauk,
Chennai-600 010.

3. Mrs.Rukmani Santhanam,
W/o.Mr.T.S.Santhanam,
Flat No.15, Aishwarya Apartments,
No.9, Coastal Road, Besant Nagar,
Chennai-600 080.

4. The Sub-Registrar,
Periyamet Sub-Registrar's Office,
Chennai-600 003.

... Defendants

A.No.8801 of 2019:

1.Mr.R.Seshasayee,
S/o.Late K.Rangaswamy,
New Door No.15, Old Door No.228-C,
Kilpauk Garden Road, Kilpauk,
Chennai-600 010.

Tmt.Saraswathi Seshasayee (since deceased)

..Applicant

-Versus-

1. Mrs.Uma Vaidyanathan,
W/o.Mr.S.Vaidyanathan,

2. Mr.V.Akshay,
S/o.Mr.S.Vaidyanathan,
Both are residing at
New Door No.15, Old Door No.228-C,
Kilpauk Garden Road, Kilpauk,
Chennai-600 010.

3. Mrs.Rukmani Santhanam,
W/o.Mr.T.S.Santhanam,
Flat No.15, Aishwarya Apartments,
No.9, Coastal Road, Besant Nagar,
Chennai-600 080.

4. The Sub-Registrar
Periyamet Sub Registrar's Office,
Chennai.

... Respondents

Application praying that this Hon'ble Court be pleased to permit and appoint Mr.R.Vignesh son of Rajasekaran aged 21 years as watchman/driver/caretaker to tak care of the applicant.

A.No.8802 of 2019:

1.Mr.R.Seshasayee,
S/o.Late K.Rangaswamy,
New Door No.15, Old Door No.228-C,
Kilpauk Garden Road, Kilpauk,
Chennai-600 010.

Tmt.Saraswathi Seshasayee (since deceased)

..Applicant / plaintiff

2.Rangarajan Seshasayee,
S/o.R.Seshasayee
No.10, Bharathi Park Road,
6th Cross S.B.Mission Post Office,
Coimbatore-641 011.

..Applicant/ Prop. 3rd
Plaintiff

-Versus-

1. Mrs.Uma Vaidyanathan,
W/o.Mr.S.Vaidyanathan,

2. Mr.V.Akshay,
S/o.Mr.S.Vaidyanathan,
Both are residing at
New Door No.15, Old Door No.228-C,
Kilpauk Garden Road, Kilpauk,
Chennai-600 010.

3. Mrs.Rukmani Santhanam,
W/o.Mr.T.S.Santhanam,
Flat No.15, Aishwarya Apartments,
No.9, Coastal Road, Besant Nagar,
Chennai-600 080.

... Respondents / Defendants 1 to

Application praying that this Hon'ble Court be pleased to delay of 391 days in filing the application to set aside the abatement and bring the Legal heirs of Saraswathi (deceased) who died on 07.08.2018.

These Applications coming on this day before this Court for hearing, the Court made the following order:

A.No.8802 of 2019 has been filed to condone the delay of 391 days in filing the application to set aside the abatement and to bring the legal heirs of the deceased 2nd plaintiff/ Saraswathi, who died on 07.08.2018 on record.

2.The other legal heirs are already on record and the daughter of the deceased is also on record. Therefore, there is no question of delay or abatement. Hence, this application is dismissed as infructuous.

The learned counsels are directed to file an application to bring on record the legal representatives of the plaintiff. Post on 15.09.2020.

Sd./-P.T.A.J
21/08/2020

//Certified to be true copy//

Dated at Madras this the day of 2020.

JJ 31/08/2020

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.