



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

Friday, the Third day of January Two Thousand Twenty
PRESENT

The Hon`ble Mr.Justice N.SATHISH KUMAR

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CMP(MD) No.3140 of 2019

IN

SA No.779 of 1993

1 SUBRAMANIAN (DIED) ,
2.R.MADASAMY NADAR
3 PALAATHAL
4 MADASAMY
5 MURUGANATHAM
6 MADATHIAMMAL
7 KAMARAJ

...PETITIONERS 3 to 7/PETITIONERS 3 to 7/
PROPOSED APPELLANT 3 to 7

8 RAMALAKSHMI

... 8th PETITIONER/8th PETITIONER/
PROPOSED 8th APPELLANT

Vs

1 AMARAVATHIAMMAL (DIED) ,
2.P.B.SIVABAKKIAM NADAR
3 CHETTIYAPPA NADAR,
4 LAKSHMANAPERUMAL RAJA,
5 SHEIK MOHIDEEN MARAIKKAYAR,
6 ABDUL KAREEM MARAIKKAYAR,

7 VASUDEVA NALLUR PANCHAYAT UNION,
REP BY ITS BLOCK DEVELOPMENT OFFICER,
VASUDEVANALLUR, SIVAGIRI TALUK,
TIRUNELVELI DISTRICT.

8 VENNIAMALAYAMMAL,
9 SAMIYA DEVAR,
10 SHAMMUGATHAI,
11 R.SUBRAMANIAM,
12 SENDURPANDI,
13 R.KARUTHAPANDI,
14 GANAPATHIYAMMAL,
15 MADATHIYAMMAL,
16 KALIYAMMAL,
17 SAMUDRAGANI,
18 SUBBIAH,
19 MADASAMY,
20 PACHIYAMMAL,



21 ANNAMALAI,
22 GURU ALIAS GURUSWAMY,
23 R.THANGASAMY (DIED),
24 T.RAMASAMY @ RAJA,
25 INDRA,
26 RAJAMMAL @ ANITHA, ...RESPONDENTS 1 to 26/RESPONDENTS 1 to 26/
RESPONDENTS 1 to 26/
27 R.T.ARASU,
28 T.TAMILARASAN,
29 T.GANDHI,
30 T.KALAIYARASU ... PROPOSED RESPONDENTS 27 to 30/
PROPOSED RESPONDENTS 27 to 30/
PROPOSED LR's OF THE DECEASED 23rd RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Extend the time for payment of cost of Rs.2000/- to the Legal Aid Services Authority by order dated 19.09.2017 made in MP.No.1 of 2013 in SA.No.779 of 1993 on the file of this Honourable Court.

Prayer in MP(MD)NO. 1/ 2015 in SA.No.779/1993 :

To condone the delay of 1935 days in filing the petition to set aside the abatement caused due to the death of the 23rd respondent in the second appeal in SA.No.779/2013 .

Prayer in SA.No. 779/ 1993 :

to prefer memorandum grounds of second appeal against the Judgement and decree passed in A.S.No.24/1989 dated 11/3/1993 on the file of the Additional District Judge, Tirunelveli in dismissing the first appeal preferred by the appellants against the Judgement and decree dated 16/03/1989 made in O.S.No.83/1979 on the file of the Court of the Subordinate Judge at Tenkasi.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.S.SIVA THILAKAR, Advocate and Mr.T.S.R.VENKATARAMANA, Advocate for the petitioners and of Mr.A.R.M.RAMESH, Advocate Assisted by M/s.MEENAKUMARI, Advocate for R24, and Mr.M.RAJASEKARAN, Advocate for R27 to R30, the court made the following order:-

This application has been filed for extension of time to pay the cost of Rs.2,000/- to the Legal Aid Services Authority.

2. It is the contention of the learned counsel for the petitioners that since the result is pronounced in the Principal Bench and the order has not been properly communicated to the petitioners, they could not pay the cost in time.



3. Having regard to the reasons assigned in the affidavit, in order to give fair opportunity to the parties in the final hearing, the application is ordered and the petitioners are directed to pay the cost on or before 20.01.2010 to the Legal Aid Services Authority.

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4. The Registry is directed to list the matter on 21.01.2020 for reporting compliance.

sd/-
03/01/2020

/ TRUE COPY /

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

TO

1.THE ADDITIONAL DISTRICT JUDGE,
TIRUNELVELI

2.THE SUBORDINATE JUDGE,
TENKASI.

Copy To: THE OFFICER INCHARGE,
LEGAL AID SERVICES AUTHORITY,
MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

ORDER
IN
CMP (MD) No.3140 of 2019
IN
SA No.779 of 1993
Date :03/01/2020

akv
ES/PN/SAR 3/03.01.2020/3P/4C