



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Tuesday, the Thirteenth day of October Two Thousand and Twenty
PRESENT

The Hon`ble Mr.Justice M.GOVINDARAJ
C.M.P.(MD). Nos.1134 to 1136 of 2017

in

A.S. (MD)No. 12 of 2005

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The Special Tahsildar,
Ad-Dravidar Welfare
Kovilpatti
Tuticorin District

... Petitioner/Appellant
in all the Petitions

Vs

- 1 P.Murugeshapandian (Died) ...1st Respondent / Respondent
in all the Petitions
- 2 Tamilarazi
- 3 Chellapandian,
- 4 Kamatchithai @ Maniyarasi ... Respondents 2 to 4 / LR's of the
Deceased sole Respondent
in all the Petitions

Prayer in C.M.P.(MD). Nos.1134 of 2017:-

Petition filed under Section 5 of the Limitation Act, to
Condone the delay of 3218 days in filing the petition to set-aside
abatement caused due to the death of the sole respondent in A.S.(MD)
No.12 of 2005.

Prayer in C.M.P.(MD). Nos.1135 of 2017:-

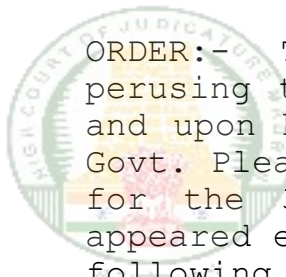
Petition filed under Order XXII Rule 9 of the C.P.C., to set
aside the abatement caused due to the death of the sole respondent
in A.S.(MD) No.12 of 2005.

Prayer in C.M.P.(MD). Nos.1136 of 2017:-

Petition filed under Order XXII Rule 4 of the C.P.C., to
bring on record the respondents 2, 3 & 4 as the legal
representatives of the sole respondent and rank them as respondents
2, 3 & 4 in A.S.(MD) No.12 of 2005.

Prayer in A.S. No. 12 of 2005:-

Appeal Suit filed under Section 54 of the Land Acquisition Act,
against the Judgment and Decree dated 10/04/2004 made in L.A.O.P.
No. 38 of 1998 on the file of the Subordinate Judge, Kovilpatti.



ORDER:- These Petitions coming up for orders on this day and upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of Mr. J. Gunaseelan Muthiah, Addl. Govt. Pleader for the Petitioner and of Mr. M. Siddharthan, Advocate for the 3rd Respondent and the respondents 2 & 4 having not appeared either in person or through a Counsel, this Court made the following order:

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C.M.P.(MD).No.1134 of 2017 is filed to set aside the abatement caused due to the death of the sole respondent C.M.P.(MD).No.1135 of 2017 is to set aside the abatement and CMP(MD).No.1136 of 2017 is bring on record the petitioners herein as Legal representatives of the deceased respondent as respondents 2 to 4 in the above Second Appeal.

2. Heard.

3. Considering the facts and circumstances of the case, C.M.P (MD).No.1134 of 2017 is allowed and the delay is condoned. Consequently, CMP(MD).Nos.1135 and 1136 of 2017 are also allowed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

The Subordinate Judge, Kovilpatti.

ORDER DATED : 13/10/2020

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ORDER
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CMP(MD). Nos.1134 to 1136 of 2017
in
A.S. No. 12 of 2005

Giving direction and etc.
as stated within.

VB (24.11.2020) 2P 2C