



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)
Wednesday, the Fifth day of August Two Thousand Twenty

PRESENT

WEB COPY

The Hon`ble Mrs.Justice J.NISHA BANU

C.M.P (MD) .Nos.7858 to 7860 of 2017
in
S.A. (MD) .No.730 of 2011

P.KARUPPASAMY

... PETITIONER/APPELLANT
IN ALL THESE PETITIONS

Vs

1 A.SUBRAMANIAN (DIED)
2 MAYILATHAL
3 KARTHIKEYAN
4 KADESPRIYA

... RESPONDENTS 2 TO 4/PROPOSED
RESPONDENTS 2 TO 4
IN CMP (MD) Nos.7858,7859 of 2017
IN SA (MD) No.730 of 2011
... RESPONDENTS 1 TO 3/PROPOSED
RESPONDENTS 1 TO 3
IN CMP (MD) No.7860 of 2017
IN SA (MD) No.730 of 2011

PRAYER IN CMP (MD) No.7858 of 2017 IN SA (MD) No.730 of 2011:

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 207 days in filing the Petition to implead the respondents 1 to 3 herein as the Legal Heirs of the deceased sole respondent in SA (MD) No.730 of 2011 on the file of this Honourable Court and thus render justice.

PRAYER IN CMP (MD) No.7859 of 2017 IN SA (MD) No.730 of 2011:

To set aside the abatement caused due to the death of sole respondent in SA (MD) No.730 of 2011 on the file of this Honourable Court.

PRAYER IN CMP (MD) No.7860 of 2017 IN SA (MD) No.730 of 2011:

To bring on record the respondents 2 to 4 herein as the legal representatives of the deceased sole respondent in SA (MD) No.730 of 2011 and record them as respondents 2 to 4 on the file of this Honourable Court.

PRAYER IN SA (MD) No.730 of 2011:

To prefer this Second Appeal against the judgment and decree made in A.S.No.9 of 2006 by the Sub-ordinate Court, Palani dated 15.07.2009 confirming the judgment and decree made in O.S.No.547 of

<https://hcservices.ecourts.gov.in/hcservices/>



1998 by the District Munsif Court, Palani dated 22.07.2005.

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.D.VENKATESH, Advocate for the petitioner in all these petitions, and of Mr.M.P.SENTHIL, Advocate on behalf of the Respondents in all these petitions, the court made the following order:-

These petitions have been filed by the petitioners seeking to condone the delay of 207 days in filing a petition to set aside the abatement caused due to the death of sole respondent, to set aside the abatement and to bring on record the legal heirs of the sole respondent ie. proposed respondents 2 to 4 as respondents 2 to 4 in the appeal respectively.

2.The learned counsel appearing for the respondents have no serious objection in allowing these petitions.

3. Considering the length of delay, these petitions are ordered subject to the payment of cost of Rs.1,000/- (Rupees one thousand only) to the Legal Services Committee, attached to this Bench, within a period of two weeks from the date of receipt of a copy of this order, failing which these petitions shall stand dismissed automatically without any further reference to this Court.

sd/-
05/08/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1.THE SUBORDINATE JUDGE, PALANI.

2.THE DISTRICT MUNSIF, PALANI.

COPY TO:

THE AUTHORITY OFFICER,
LEGAL SERVICES COMMITTEE,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
C.M.P(MD).Nos.7858 to 7860
of 2017 in
S.A.(MD).No.730 of 2011
Date :05/08/2020