



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Tuesday, the Thirty First day of August Two Thousand Twenty One

PRESENT

THE HON`BLE MR JUSTICE ABDUL QUDDHOSE

CMP.NOS.630 OF 2012 AND

CMP.NOS.49, 50, 56 & 61 OF 2019

IN S.A.NO.1574 OF 2000

1 RAJATHI KALIAPPAN
(DIED)

[PETITIONERS IN ALL THE PETITIONS]

2 K.SAMPATH KUMAR

3 K.VIJAYAN

4 K.VIJAYALAKSHMI

5 K.MOHANKUMAR

6 K.JAYAKUMAR

Vs

1 R.RAMAN

[RESPONDENTS IN ALL THE PETITIONS]

2 R.SWAMINATHAN

3 R.SINGARAVELU

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condone the delay of 301 days in filing the petition to restore the above SA.1574/2000 dismissed on 01.03.2011 as having abated (In CMP.NO.630/2012) and;

ii) To set aside the order dated 01.03.2011 made in SA.No.1574/2000 dismissing the above Second Appeal as having abated and restore the same to file (In CMP.NO.49/2019) and;

iii) To condone the delay of 1863 days in filing the petition to set aside the abatement caused by the death of the deceased sole Appellant Rajathi Kaliappan.(In CMP.NO.50/2019) and;



iv) To set aside the abatement caused by the death of the deceased sole Appellant Rajathi Kaliappan. (In CMP.NO.56/2019) and;

v) To bring on record the petitioners herein viz., 1.K.sampath kumar s/o.late Rajathi Kaliappan, aged 62 Years, 2.K.Vijayan, S/o.late Rajathi Kaliappan, aged 61 Years, 3.K.Vijayalakshmi, W/o.Kanakaraj and D/o.of late Rajathi Kaliappan, aged 55 Years, 4.K.Mohankumar, S/o.late Rajathi Kaliappan, aged 53 Years, 5.K.Jayakumar, S/o.late Rajathi Kaliappan, aged 40 Years all presently residing at 23 A Margabandhu Street, Salem- 636 007, as the legal representatives of the deceased sole Appellant Rajathi Kaliappan, and, Mark them as Appellants 2 to 6 in the above SA.NO.1574/2000. (In CMP.NO.61/2019)

Order : These petitions coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon Petitioner not appearing either in person or by an Advocate, the court made the following order:-

The matter is listed under the caption "for dismissal", today.

On 27.07.2021, this Court recorded the submissions made by the learned counsel for the Petitioners/Appellants that he is reporting no instructions in this matter. Thereafter this Court directed the Registry to print the name of the Appellants in the cause list and list the matter for hearing on 16.08.2021. On 16.08.2021, once again there was no representation on the side of the Petitioners/Appellants, despite the fact that the name of the Appellants were printed in the cause list. Thereafter, this Court directed the Registry to list the matter under the caption "for dismissal today. Even today, there is no representation on the side of the petitioners/Appellants. It can now be inferred that the petitioners/Appellants are not interested in prosecuting these civil miscellaneous petitions. Accordingly, these Civil Miscellaneous Petitions are dismissed for non-prosecution.

-sd/-
31/08/2021
/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE PRINCIPAL DISTRICT MUNSIF,
SALEM.

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



2 THE PRINCIPAL DISTRICT JUDGE,
SALEM.

WEB COPY

Order
in
CMP.NOS.630/2012 AND
CMP.NOS.49, 50, 56 & 61/2019
IN S.A.NO.1574/2000

Date :31/08/2021

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
PM(08/09/2021)