



IN THE HIGH COURT OF JUDICATURE AT MADRAS  
( Civil Appellate Jurisdiction )

Wednesday, the Twenty Fourth day of November Two Thousand Twenty

One

PRESENT

THE HON`BLE MR.JUSTICE RMT.TEEKAA RAMAN

CMP.Nos.12131, 12132 & 12133 of 2016

in S.A.No.886 of 2015

SOUNDARARAJAN

[ PETITIONER IN ALL THE PETITIONS]

Vs

1 SAMPATH

[ RESPONDENTS IN ALL THE PETITIONS]

2 MUNIYAMMAL (DIED)

3 BALAKRISHNAN

4 JAYAKUMAR

5 VIJAYAKUMAR

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 651 days in filing the application to set aside the abatement caused the above second appeal due to the death of 2nd respondent, namely deceased Muniammal and thus render Justice [in CMP.No.12131 of 2016];

2. To set aside the abatement caused to the above second appeal due to the death of the 2nd respondent, namely deceased Muniammal and thus render Justice [in CMP.No.12132 of 2016];

3. To bring on record the Respondents 4 and 5 herein as the legal heir of deceased 2nd respondent namely Muniyammal and rank them as Respondents 4 and 5 in the above second appeal and pass such other order as this Honble court may deem fit and proper upon the circumstances of the case and thus render Justice [in CMP.No.12133 of 2016] respectively.



Order : This petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.A.GOUTHAMAN, Advocate for the petitioner in all the petitions and of MR.G.JEREMIAH, Advocate on for the Respondents in all the petitions, the court made the following order:-

Mr.G.Jeremiah, the learned counsel for the respondents would submit that the second respondent herein died on 06.06.2014 and that the Judgment rendered by the Lower Appellate Court on 03.03.2015 and hence, the petitions as such framed does not maintainable.

2.In view of the submission made by the learned counsel for the respondents, these petitions are not maintainable. Hence, these petitioners are closed, however, a liberty is given to the appellant to file appropriate application as per Code of Civil Procedure.

-sd/-  
24/11/2021

/ TRUE COPY /

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

TO

1 THE DISTRICT MUNSIF,  
ARAKKONAM, VELLORE DISTRICT

2 THE SUBORDINATE JUDGE,  
ARAKKONAM

Order  
in  
CMP.Nos.12131, 12132 & 12133 of 2016  
in S.A.No.886 of 2015

Date :24/11/2021

From 26.2.2001 the Registry is issuing certified  
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