



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Wednesday, the Twenty Seventh day of October Two Thousand Twenty One

PRESENT

THE HON`BLE MR.JUSTICE A.A.NAKKIRAN

CMP No.8832 of 2020

IN A.S.No.3 of 2016

R. KAMARAJ

[PETITIONER]

Vs

1 R. ALAGESAN (DECEASED)

[RESPONDENTS]

2 MRS.LALITHA ALAGESAN

3 A.RAJARAM

4 A.VIJAY

5 S.SOWMIYA

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 1148 days in filing the application to set aside abatement caused due to the death of the sole respondent in AS.3 of 2016.(IN CMP.No.8832/2020)

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.V.RAGHAVACHARI, Advocate for the petitioner and of MR.R.THIAGARAJAN, Advocate for the Respondents, the court made the following order:-

This petition is filed to condone the delay of 1148 days in filing the application to set aside abatement caused due to the death of the sole respondent in AS.No.3 of 2016.

2.There is no objection by the learned counsel appearing for the respondents for condoning the delay of 1148 days in filing this application.



3. Having been satisfied with the reasons stated in the affidavit filed in support of petition and after hearing the learned counsel for the petitioner, the delay is condoned and this petition is allowed on condition that the petitioner pays a sum of Rs.1,500/- (Rupees One Thousand Five Hundred only) to the **Chief Justice Relief Fund** within a period of one week from today. In the event of failure on the part of the petitioner in paying the said amount within the stipulated time, this petition shall stand dismissed automatically without any further reference to this Court.

4. Post this matter next week.

-sd/-

27/10/2021

/ TRUE COPY /

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

TO

1 THE VI ADDITIONAL JUDGE,
CITY CIVIL COURT,
MADRAS.

2 THE SECTION OFFICER,
ACCOUNTS SECTION,
HIGH COURT MADRAS.

Order
in
CMP No.8832 of 2020

IN A.S.No.3 of 2016

Date :27/10/2021

From 26.2.2001 the Registry is issuing certified
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TP(29/10/2021)