

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Monday, the Twenty Second day of November Two Thousand Twenty One

PRESENT

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

CMP.No.9428 of 2020

in AS.No.1 of 2011

1 SMT.NAGARATHINAM, [PETITIONERS/APPELLANTS]
(DECEASED)

2 SMT.K.R.SANTHA

3 SMT.K.R.SARATHA

Vs

1 K.R.SRINIVASAN [RESPONDENTS/RESPONDENTS]
(DECEASED)

2 PRIYAREHA

3 JOTHIPRASAD

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 3042 days in filing the petition to set aside the abatement caused due to the death of the sole Respondent in the above AS.No.1 of 2011 (in CMP.No.9428/2020)

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.A.E.RAVICHANDRAN, Advocate for the petitioner and of MR.V.PRAVIN RATHINAM, Advocate for the 2nd and 3rd Respondent, the court made the following order:-

This petition is filed to condone the delay of 3042 days in filing the application to set aside abatement caused due to the death of the sole respondent in AS.No.1 of 2011.

2. There is no objection by the learned counsel appearing for the respondents to allow 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 petitioners, the delay is condoned and this petition is allowed on condition that the petitioner pays a sum of

Rs.3,500/- (Rupees Three Thousand Five Hundred only) in favour of the Director, Adyar Cancer Institute, Adyar, Chennai on or before 29.11.2021. 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 30.11.2021.

-sd/-

22/11/2021

/ TRUE COPY /

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

TO

THE ADDITIONAL DISTRICT JUDGE,
FAST TRACK COURT-I, COIMBATORE

COPY TO

THE DIRECTOR,
ADYAR CANCER INSTITUTE,
ADYAR, CHENNAI

Order

in

CMP.No.9428 of 2020

in AS.No.1 of 2011

Date :22/11/2021

From 26.2.2001 the Registry is issuing certified
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DV(24/11/2021)