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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Tuesday, the Second day of November Two Thousand Twenty One

PRESENT

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

CMP.Nos.11843 & 11852 of 2020

in AS.Nos.867 & 869 of 2014

KABIRDOSS [PETITIONER IN CMP.No.11843 OF 2020]

BALAKRISHNAN [PETITIONER IN CMP.No.11852 OF 2020]

Vs

NAJMUUNNISSA (DIED) [RESPONDENTS IN BOTH THE PETITIONS]

2 JOHN BRITTO

3 ROJA

4 SAHUL HAMEED

5 ASHIK HABIBUNNISSA

6 SHAKUL HAMEED

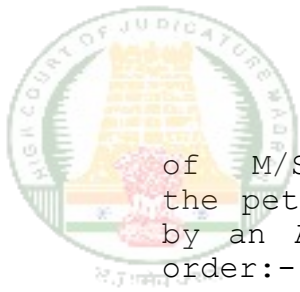
7 NEMA HABIKA AFRIN

8 UMMA SALIMA

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 1285 days in seeking to set aside the abatement caused by death of deceased first respondent in the above First Appeal (in CMP.No.11843 of 2020) and;

ii) To Condone the delay of 1285 days in seeking to set aside the abatement caused by death of deceased first respondent in the above First Appeal (in CMP.No.11852 of 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.KAVITHA, Advocate for MR.S.SOUNTHAR, Advocate for the petitioner in both the petitions and



of M/S.R.T.SHYAMALA, Advocate for the 4 to 8th Respondents in both the petitions and of 2nd Respondent not appearing either in person or by an Advocate in both the petitions the court made the following order:-

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These petitions have been filed by the petitioners seeking to condone the delay of 1285 days to set aside the abatement caused by the death of deceased first respondent in the above Appeals.

2.Heard the learned counsel for the petitioners.

3.Considering the reasons stated in the affidavit filed in support of the petition, this Court is inclined to condone the delay subject to the payment of cost of Rs.2000/- (Rupees Two Thousand only) to the Rajiv Gandhi Government General Hospital, Chennai, on or before 18.11.2021, failing which, this petition shall stand dismissed automatically without any further reference to this Court.

2. Post the main appeals on 19.11.2021.

-sd/-

02/11/2021

/ TRUE COPY /

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

TO

1 THE DISTRICT JUDGE,
KARAIKAL.

2 THE DEAN,
RAJIV GANDHI GOVERNMENT GENERAL HOSPITAL,
CHENNAI.

Order

in
CMP.Nos.11843 & 11852 of 2020
in AS.Nos.867 & 869 of 2014

Date :02/11/2021

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PA (09/11/2021)