



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Tuesday, the Ninth day of November Two Thousand Twenty One

PRESENT

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

CMP.NO.17032 OF 2021

IN AS.NO.344 OF 2015

SANTHI (DECEASED)

[PETITIONERS]

1 L.SELVAM

2 DHANALAKSHIMI

Vs

1 MOHAMED SHAFI MARICAR

[RESPONDENTS]

2 SUMATHI

3 S.ALARGAR RAJA

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass an order condoning the delay of 1498 day in filing setting aside abetment petition in A.S.No.344 of 2015.(In CMP.NO.17032/2021)

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 MR.R.NATARAJAN, Advocate for the petitioner and of MR.SAI KRISHNAN, for the 2nd Respondent and of 1st and 3rd Respondents not appearing either in person or by an Advocate, the court made the following order:-

This petition is filed to condone the delay of 1498 days in filing the application to set aside abatement caused due to the death of the sole appellant in AS.No.344 of 2015.

2. Learned counsel for the appellant is present. However, there is no representation for the 3rd respondent inspite of the fact that Mr.Dhanasekar, learned counsel undertook to file vakalat today. There is also no representation for the 1st respondent.

3. There is no objection by the learned counsel appearing for the 2nd respondent to allow this application.



4. 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.2,000/- (Rupees Two Thousand only) to the **Chief Justice Relief Fund** on or before 18.11.2021. 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.

5. Post this matter 19.11.2021.

-sd/-
09/11/2021

/ TRUE COPY /

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

TO

1 THE DISTRICT JUDGE,
KARAIKAL.

2 THE SECTION OFFICER,
ACCOUNT SECTION,
HIGH COURT, MADRAS 104

Order
in
CMP.NO.17032 OF 2021
IN AS.NO.344 OF 2015

Date :09/11/2021

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