



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Friday, the Twenty Sixth day of November Two Thousand and
Twenty One

PRESENT

The Hon`ble Mrs.Justice V.BHAVANI SUBBAROYAN

CMP (MD) No.5223,5224 and 5225 of 2020

IN

SA (MD) No.749 of 2014

S.SUBRAMANIAN (DIED)

- 1.KUNJAMMAL,
- 2 PITCHAIMMAL
- 3 KANDEEBAN

... PETITIONERS/LRS OF THE DECEASED
SUBRAMANIAN
IN ALL THE PETITIONS

Vs

K.CHINNADURAI

... RESPONDENT/RESPONDENT
IN ALL THE PETITIONS

Prayer in CMP (MD) . 5223 of 2020 :

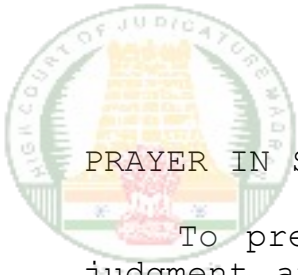
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 371 days in filing the above applications to set aside the abatement caused due to the death of the deceased sole appellant viz., Subramanian in the above Second appeal.

Prayer in CMP (MD) . 5224 of 2020 :

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to set aside the abatement caused due to the death of the deceased sole appellant viz., Subramanian in the above Second appeal.

Prayer in CMP (MD) . 5225 of 2020 :

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to bring on record the proposed petitioners herein as legal representative of the deceased sole appellant viz., Subramanian and rank them as Appellants 2 to 4 in the above Second appeal in SA (MD) . No. 749 of 2014.



PRAYER IN SA(MD) No.749 of 2014:

To prefer this Memorandum of Grounds of Second Appeal against judgment and decree dated 24.09.2013 made in A.S.No.237 of 2011 on the file of the Subordinate judge, Tiruchirapalli reversing the judgment and decree dated 30.11.2010 made in O.S. No.179 of 2005 on the file of the Additional District Munsif, Lalgudi.

ORDER :These petitions coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.T.LENIN KUMAR, Advocate for the petitioners in all the petitions and of MR.M.R.SREENIVASAN, on behalf of the Respondent in all the petitions the court made the following order:-

These applications have been filed to condone the delay of 371 days in filing the above application to set aside the abatement caused due to the death of the deceased sole appellant viz., Subramanian and to bring on record the proposed petitioners herein as legal representative of the deceased sole appellant viz.,Subramanian and rank them as appellants 2 to 4 in the above second appeal.

2.Heard the learned counsel appearing on either sides.

3. In order to give effective justice in the second appeal, it is just and necessary that the legal representatives should be brought on record in this Second Appeal. Consequently, these applications are allowed on condition that the Petitioner pays a sum of Rs.500/- (Rupees Five Hundred only) to the Advocates Welfare Fund, Madurai Bench of Madras High Court, bearing Account No.7087208431 in Indian Bank, High Court Branch, Madurai, towards costs, within a period of two weeks from the date of receipt of a copy of this order, failing which, these petitions shall stand automatically dismissed, without further reference to this Court.

sd/-

26/11/2021

/ TRUE COPY /

/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1.THE SUBORDINATE JUDGE, TIRUCHIRAPALLI.

<https://hcservices.ecourts.gov.in/hcservices/>

2.THE ADDITIONAL DISTRICT MUNSIF, LALGUDI.



COPY TO

THE OFFICER INCHARGE
ADVOCATES WELFARE FUND,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CMP (MD) No.5223,5224 and 5225 of 2020

IN

SA (MD) No.749 of 2014

Date :26/11/2021

VB/JM/SAR-III/01.12.2021/3P/4C