



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Thursday, the Seventh day of October Two Thousand and Twenty One
PRESENT

WEB COPY

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CMP(MD) No.8050 of 2021
IN
CRP(MD)No.2759 of 2014

1 RAJENDRAN (DIED)
2 RANI
3 RAJESWARI
4 RANJITHKUMAR ... PETITIONERS 2 TO 4/PETITIONERS 2 TO 4/
PROPOSED PETITIONERS 2 TO 4 (L.RS.OF SOLE PETITIONER)

Vs

1 JEYALAKSHMI @ JEYAM @ JEYA
2 BALAMURUGAN

MUTHUSAMY (DIED)

3 AMBIGA
4 NAGARAJAN ... RESPONDENTS/RESPONDENTS/RESPONDENTS
(4th RESPONDENT IS GIVEN UP)

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 528 days in re-Presenting the above applications in CMP(MD).SR.No.22306 and 22037 of 2018 in CRP(MD).No.2759 of 2014.

PRAYER IN CRP(MD)No.2759 of 2014:

To set aside the Fair and Decreetal order passed in I.A.No.797/2013 in O.S.No.69/1999 dated 22.08.2014 on the file of Additional District Munsif, Lalgudi.

PRAYER IN CMP(MD)SR.No.22306 of 2018:

To set aside th abatement caused due to death of the sole petitioner in the above civil Revision Petition in C.R.P(MD)No.2759 of 2014.

PRAYER IN CMP(MD)SR.No.22307 of 2018:

To bring on record the petitioners 2 to 4 herein, the legal heirs of the deceased sole petitioner, as petitioners 2 to 4 in the above Civil Revision Petition in C.R.P(MD)No.2759 of 2014.

ORDER : This petition 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.S.R.VENKATARAMANA, Advocate for the petitioner and of Mr.K.M.VAMSIDAR, Advocate for Respondents No.1 to 3, the court made the following order:-



This Petition has been filed seeking to condone the delay of 528 days in representing the applications in C.M.P(MD)Nos.SR.22306 and 22307 of 2018 in the above Civil Revision Petition.

2.Heard the learned counsel appearing for the Petitioner and learned counsel appearing for the respondents 1 to 3 and perused the materials placed before this Court.

3.For the reasons assigned in Paragraph No.4 of the accompanying affidavit and also considering the length of delay, this Court is of the view that this Petition may be ordered, on payment of costs.

4.In view of the above, this Petition is ordered and the delay of 528 days in representing the above Civil Miscellaneous Petitions is condoned on condition that the Petitioner pay a sum of Rs.3,000/- (Rupees Three Thousand 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, this Petition shall stand automatically dismissed, without further reference to this Court.

sd/-

07/10/2021

/ TRUE COPY /

/ /2021

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

Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

TO

THE ADDITIONAL DISTRICT MUNSIF
LALGUDI.

COPY TO:

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

ORDER IN

CMP(MD) No.8050 of 2021
IN
CRP(MD)No.2759 of 2014
Date :07/10/2021

SA/VR/SAR.3/13.10.2021/2P/3C

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