



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**

AND

THE HONOURABLE MRS.JUSTICE **S.ANANTHI**

C.M.P. (MD) Nos. 8731 to 8733 of 2017

in

REV.APLC (MD) No. SR64142 of 2011

1.The Superintending Engineer,
National Highways, Madurai.

2.The Divisional Engineer,
National Highways,
Tiruchirappalli - 20.
Now,
The Divisional Engineer,
National Highways,
Panagal Building,
Thanjavur.

: Petitioners in all petitions

Vs.

1.C.Viswanathan (Died)

2.K.Dhandapani (Died)

3.V.Ilanchezhiyan

4.Saraswathi

5.Kokila

6.V.Rajasekaran

7.V.Haribaskar

8.V.Ayyapan

9.V.Saminathan

10.V.Bharathi

: Respondents in all petitions

PRAYER in CMP (MD) 8731/2017: Petition filed under Section 5 of the Limitation Act to condone the delay of 743 days in filing the petition to set aside the abatement caused due to the death of 1st respondent in the review application.

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



PRAYER in CMP (MD) 8732/2017: Petition filed under Order 22 Rule 9(2) of the Code of Civil Procedure to set aside the abatement caused due to the death of 1st respondent in the review application.

PRAYER in CMP (MD) 8733/2017: Petition filed under Order 22 Rule 4 of the Code of Civil Procedure to bring on record the respondents 3 to 10 as legal representatives of the 1st respondent and rank them as respondents 3 to 10 in the review application.

PRAYER in REV.APLC (MD) SR64142/2011: Petition filed under Order 47 Rule 1 r/w 114 of the Code of Civil Procedure against the common order dated 26.08.2011 made in CMA (MD) No. 694 & 695 of 2005.

Prayer in CMA (MD) . 694 of 2005 :

Appeal filed under Section 37 of Arbitration Act, 1996, against the Judgment and Decree dated 04/03/2003 made in Arb.OP.1/1992 & Arb.OP.2/1992 on the file of Sub Court, Trichy.

For Petitioners : Mr.V.R.Shanmuganathan,
Special Government Pleader
For Respondents : RR.1 & 2 - Died
Mr.K.Prabhakar for R.3 to R.10

ORDER

(Order of the Court was made by **M.M.SUNDRESH, J.**)

When the matter is taken up for hearing today, the learned Special Government Pleader appearing for the petitioners sought permission of this Court to withdraw the present petitions with liberty to file fresh review application, if any fresh claim is made by the legal heirs of the deceased first respondent.

2. Granting such liberty as prayed for, the civil miscellaneous petitions stand dismissed as withdrawn. No costs. Consequently, the review application, which is in SR stage, stands rejected. Pending miscellaneous petitions, if any, shall also stand closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

gk



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