



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Thursday, the Thirty First day of March Two Thousand Twenty Two

PRESENT

THE HON`BLE MRS.JUSTICE J.NISHA BANU

CMP.Nos.2590, 2593 and 2596 of 2022

IN CRP.(NPD).No.601 of 2015

1 B.K.VASANTHA PLASTIC INDUSTRIES,
REP. BY PROPRIETOR,
M.S.BADAI KUMAR, (DECEASED)
12, KASI CHETTY STREET,
SOWCARPET, CHENNAI - 600 079.

[PETITIONERS IN ALL THE
PETITIONS]

2 B.K.RAJKUMAR,
(P2 IMPEADED AS PER ORDER IN M.P.
NO. 285/2010 DATED 28.10.2010)
12, KASI CHETTY STREET,
SOWCARPET, CHENNAI - 600 079.

Vs

1 MRS.SHANTHI BAI,
(SINCE DECEASED)
NO.7, REDDY RAMAN STREET,
SOWCARPET,
CHENNAI - 600 079.

[RESPONDENTS IN ALL THE
PETITIONS]

2 D. BABULAL, M/AGED 68 YEARS,

3 D. RAMESH KUMAR, M/AGED 59 YEARS,

4 D. MAHENDRA KUMAR, M/AGED 49 YEARS,

5 D. PRAVEEN KUMAR, M/AGED 46 YEARS,

ALL ARE RESIDING AT
NO.7, VINAYAKA MAISTRY STREET,
SOWCARPET, CHENNAI - 600 001.



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 1568 days in filing the petition to bring on record the proposed respondents 2,3,4 and 5 as party Respondents 2,3,4 and 5 in the above CRP caused due to the death of the sole respondent Smt. Shanthibai in the above Civil Revision Petition and pass (IN CMP.No.2590 of 2022);

(ii) To bring on record the proposed Respondents 2,3,4 and 5 herein as legal representatives of the deceased sole Respondent Smt. Shanthibai as the party respondents 2,3,4 and 5 in the above Civil Revision Petition and pass (IN CMP.No.2593 of 2022) and

(iii) To set aside the abatement caused due to the death of the sole respondent Smt. Shanthibai on 23.05.2017 and pass (IN CMP.No.2596 of 2022).

Order : These petitions coming on this day for hearing upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of M/S.ASHOK MENON, Advocate for the petitioner in all the Petitions and of M/S.T.D.PANNERSELVAM, Advocate for the Respondents in all the Petitions, the court made the following order:-

This matter is listed today under the caption for clarification. Earlier the matter was listed on 28.03.2022 and this court after hearing both sides, was inclined to allow the CMPs., however, since huge delay of 1568 days is involved, in the interest of justice, this court deems it fit to impose cost on the petitioners and hence, the following order is passed.

2. Considering the reasons stated, CMP.No.2590 of 2015 stands ordered on condition that the petitioners shall jointly pay a sum of Rs.2,000/- [Rupees Two thousand only] to the Tamil Nadu Legal Services Authority, Chennai, within a period of two weeks from the date of receipt of a copy of this order. On such payment, CMP.Nos.2593 and 2596 of 2022 shall also stand ordered. In the event of petitioners failing to comply with the above conditional order, the above petitions shall stand automatically dismissed, without further reference to this Court.

3. Post the Civil Revision Petition on 28.04.2022.

-sd/-

31/03/2022

/ TRUE COPY /

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



TO

1 THE VII JUDGE,
SMALL CAUSES COURT, CHENNAI.

2 THE XIV JUDGE,
SMALL COUSES COURT, [RENT CONTROLLER]
CHENNAI.

COPY TO

THE SECRETARY,
TAMIL NADU STATE LEGAL SERVICE AUTHORITY,
HIGH COURT, MADRAS-104.

Order
in
CMP.Nos.2590, 2593 and 2596 of 2022

IN CRP.(NPD).No.601 of 2015

Date :31/03/2022

From 26.2.2001 the Registry is issuing certified
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TP(11/04/2022)