



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Tuesday, the Twelfth day of April Two Thousand Twenty Two

PRESENT

THE HON`BLE MRS.JUSTICE J.NISHA BANU

CMP.Nos.6598 to 6600 of 2022

in C.R.P(NPD).No.4455 of 2015

R.SELVAM [PETITIONER IN ALL THE PETITIONS]
S/O. RATHINAM
DOOR NO.8/1-11, SUBRAMANYA NAGAR,
RAMAN NAGAR POST, PUDUCHAMPALLI,
VEERAKKAL PUDUR VILLAGE, METTUR TALUK.

Vs

1 M. VASANTHA (DECEASED) [RESPONDENTS IN ALL THE PETITIONS]
W/O.MARIMUTHU,
NO.164/123, G-1, BYPASS ROAD,
V.O.C. NAGAR,
TANGAMAPURI PATTINAM,
METTUR DAM, METTUR TALUK.

2 G.JAYAPAL
S/O. GOPAL
DOOR NO. 13/1-125,
SUBRAMANIYA KOIL STREET,
PUDUCHAMPALLI,
VEERAKKAL PUDUR VILLAGE,
METTUR TALUK.

3 SATHISH CHAKRAVARTHI
S/O. LATE. MARIMUTHU
NO. 164/123, G-1, BYPASS ROAD,
V.O.C.NAGAR, TANGAMAPURI PATTINAM,
METTUR DAM, METTUR TALUK.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to

1. To condone the delay of 1178 days in filing the application and set aside the abatement of 1st Respondent deceased M.Vasantha in CRP No. 4455 of 2015 [CMP.No.6598 of 2022 in CRP(NPD).No.4455 of 2015].



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2. To bring on record Sathish Chakravarthi as 3rd Respondent being the legal heir of deceased M.Vasantha the 1st Respondent in CRP No.4455 of 2015 pending on the file of this Honble Court [CMP.No.6599 of 2022 in CRP(NPD).No.4455 of 2015];

3. To set aside the abatement of deceased M.Vasantha in CRP No. 4455 of 2015 [CMP.No.6600 of 2022 in CRP(NPD).No.4455 of 2015] respectively.

Order : These Miscellaneous petitions coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.P.CHANDRASEKAR, Advocate for the petitioner in all the petitions and of M/S.D.SHIVA KUMARAN, Advocate on behalf of the 1st Respondent in all the petitions, the court made the following order:-

The petition in C.M.P.No.6598 of 2022 has been filed by the petitioner to condone the delay of 1178 days to file the petition to set aside the abatement caused due to the death of the 1st respondent, CMP.No.6599 of 2022 has been filed to bring on record the legal representatives of the deceased 1st respondent and CMP.No.6600 of 2022 has been filed to set aside the abatement.

2. Heard the learned counsel for the petitioner.

3. The learned counsel for the first respondent has no objection in allowing the above petitions.

4. Considering the reasons stated in the affidavit filed in support of the petitions and the submissions made by the learned counsel for both sides, the petition filed to condone the delay of 1178 days to file the petition to set aside the abatement caused due to the death of the 1st respondent, stands ordered, upon payment of costs of Rs.1,000/- (Rupees One 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 and consequently, other petitions are ordered. If the costs is not paid within the above stipulated time, all the petitions shall stand automatically dismissed, without further reference to this Court.

-sd/-

12/04/2022

/ TRUE COPY /

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



TO

1 THE III ADDITIONAL DISTRICT JUDGE,
SALEM

2 THE ADDITIONAL DISTRICT JUDGE,
FAST TRACK COURT II, SALEM

COPY TO

THE SECRETARY,
THE TAMILNADU LEGAL SERVICES AUTHORITY,
HIGH COURT, MADRAS 104.

Order
in
CMP.Nos.6598 to 6600 of 2022
in C.R.P(NPD).No.4455 of 2015

Date :12/04/2022

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