

IN THE HIGH COURT OF JUDICATURE AT MADRAS
Tuesday, the Twenty Second day of February
Two Thousand and Twenty Two

PRESENT

THE HON`BLE DR JUSTICE G. JAYACHANDRAN

CMP No.4655 of 2018

IN AS.1072/2009

MURUGAN

[PETITIONER]

Vs

1 M.K.GOVINDARAJ (DIED)
S/O.KATHIRVELU,

2 MRS. G. VIJAYALAKSHMI
W/O. LATE M.K. GOVINDARAJ

3 MR. M.K.G. GNANAOLI
S/O. LATE M.K. GOVINDARAJ

4 MRS. K. ANBUMANI
D/O. LATE M.K. GOVINDARAJ

5 MRS. M. TAMILSELVI
RESPONDENTS 2 TO 5 ARE LEGALL
REPRESENTATIVES OF THE DECEASED 1st RESPT
NO. 23, PANJUPETTAI CHINNA ST,
BIG KANCHIPURAM. [RESPONDENTS IN ALL]

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

i) to condone the delay of 2001 days to set aside the abatement;

ii) to set aside the abatement caused due to the death of the 1st Respondent in the First Appeal;

iii) bring the Respondents 2 to 5 on record as the legal representatives of the deceased 1st Respondent who died on 23.03.2012. respectively.

Prayer in AS.1072/2009:

Appeal suit filed under section 96 of the Civil Procedure Code with order 41 and 41A of the Civil Procedure Code against the judgment and decree passed in O.S.No.423 of 2006 on the file of the Additional District Judge, FTC NO.II,Kanchipuram dated 29.07.2008.

Order : These petitions coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S. G.K. SEKAR, Advocate for the petitioner and of M/S.DEEPIKA, Advocate for the Respondents, the court made the following order:-

The sole respondent died and steps not taken so far. Hence, all these petitions are dismissed;

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To,

The Additional District Judge,
FTC NO.II,Kanchipuram.

+1 cc to M/S.DEEPIKA, Advocate Sr.NO. 11118

Dated :22/02/2022

Order

in
CMP.4655/2018

in
AS.1072/2009

Dismissing the Civil Miscellaneous
Petitions etc as stated within.

nrl(CO)
A.SK(02.03.2022)