



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Monday, the Twenty Eighth day of March Two Thousand Twenty Two

PRESENT

THE HON`BLE MRS.JUSTICE J.NISHA BANU

CMP.Nos.16293, 16294 and 16295 of 2019

in CRP.No.4814 of 2013

TAMIL NADU HOUSING BOARD, [PETITIONER IN ALL THE PETITIONS]
REP. BY ITS CHAIRMAN, NO.331 ANNA SALAI,
NANDANAM, CHENNAI 600 035.

Vs

1 RAJA R.RAJALAKSHMI DEVI (DIED) [RESPONDENTS IN ALL THE PETITIONS]

2 THE SPECIAL TAHSILDAR,
LAND ACQUISITION, UNIT-3,
TAMIL NADU HOUSING BOARD SCHEMES,
CHENNAI-600 035.

3 MR.RVN PRASAD RAO

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 825 days in filling petition to be set aside abatement caused by death of 1st Respondent in the CRP.No.4814/2013 (in CMP.No.16293 of 2019) and;

ii) To set aside the abatement caused by death of 1st respondent in CRP.No.4814/2013 (in CMP.No.16294 of 2019) and;

iii) To bring the proposed respondent the legal heir of the deceased 1st Respondent and rank him as 3rd Respondent in the above CRP.No.4814/2013 (in CMP.No.16295 of 2019).

Order : These petitions coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.M.R.SIVAKUMAR, Advocate for the petitioner in all the petitions and of M/S.B.CHRISTDAS, Advocate for the 3rd Respondent in all the petitions, the court made the following order:-



The petition in CMP.No.16293 of 2019 has been filed by the petitioner to condone the delay of 825 days to file a petition to set aside the abatement caused due to the death of the first respondent, CMP.No.16294 of 2019 has been filed to set aside the abatement and CMP.No.16295 of 2019 has been filed to bring on record the legal representatives of the deceased first respondent.

2. The learned counsel for the petitioner submitted that as the petitioner came to know about the death of the first respondent only during the pendency of the present Civil Revision Petition, the delay has occurred in filing these petitions and the delay is neither willful nor wanton.

3. The learned counsel for the third respondent, who is the contesting respondent, has no objection in allowing these Civil Miscellaneous petitions.

4. Considering the submissions made by the learned counsel for the petitioner in the above Civil Miscellaneous Petitions and on perusal of the affidavit filed in support of the petitions, the petition filed for condoning the delay of 825 days is ordered, subject to payment of cost of Rs.1,000/- [Rupees one thousand only] to the Tamil Nadu Legal Services Authority, Chennai, within a period of one week from the date of receipt of a copy of this Order.

5. Upon such payment being made, the other miscellaneous petitions also stand ordered, failing which, all the petitions will stand automatically dismissed, without further reference to this Court.

-sd/-
28/03/2022

/ TRUE COPY /

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

TO

THE VI ASSISTANT JUDGE,
CITY CIVIL COURT, CHENNAI.



COPY TO

THE SECRETARY,
THE TAMIL NADU STATE LEGAL SERVICES AUTHORITY,
HIGH COURT, BUILDING, HIGH COURT, CHENNAI-104.

Order

in

CMP.Nos.16293, 16294 and 16295 of 2019

in CRP.No.4814 of 2013

Date :28/03/2022

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