



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Civil Appellate Jurisdiction )

Monday, the Twenty Seventh day of June Two Thousand and Twenty Two

PRESENT

**The Hon`ble Mr.Justice P.VELMURUGAN**

C.M.P(MD)NO.1230 of 2022  
in  
A.S(MD)No.65 of 2012

P.R.RAMANATHAN (DIED)

1. SHIYAMSAI SUNDAR
2. SATHYANARAYANAN
3. GANESH RAJKUMAR

... PETITIONERS 1 TO 3 /  
PROPOSED APPELLANTS

R.DHANDAPANI (DIED)

4. N.T.SASIREGHA
5. N.T.PREMSAI
6. R.T.KIRITHIGA DEVI

... PETITIONERS 4 TO 6 /  
PROPOSED APPELLANTS

Vs

P.R.JEGANATHAN (DIED)

1. J.S.DEVI
2. RAJA PATHRINATH
3. R.PADMAVATHI
4. J.SRIVENGADESWARA BABU

... RESPONDENTS 1 TO 4 /  
PROPOSED RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 1401 days in bringing the petitioners 1 to 3 herein as legal representatives of the deceased 1st appellant as appellants 3 to 5 in the appeal in AS(MD) No. 65 of 2012, pending disposal of the above appeal.

**PRAYER IN A.S(MD)No.65 of 2012 :**

Pleased to set aside the Judgment and Decree dated 28.12.2011 made in O.S.306 of 1999 on the file of the Additional District and Sessions Court, Fast Track Court, Periyakulam.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.S.SIVA THILAKAR, Advocate for the petitioner, the court made the following order:-



This Petition is filed to condone the delay of 1401 in bringing the legal representatives of the deceased first appellant in the above appeal suit.

2.The legal representatives of the deceased first appellant was not brought on record within 90 days from the date of death and this petition is not filed within 60 days. Though the reasons stated in the accompanying affidavit are not satisfactory and that there is a huge delay to condone, in order to give an opportunity to the parties to decide the appeal suit on merits, this Petition is allowed, however, on condition that the Petitioners pay a cost of Rs.10,000/- to the credit of this M.P before the Registry within a period of ten days from the date of receipt of a copy of this order.

3.List the matter before this Court on 12.7.2022 under the caption '' for reporting compliance''.

sd/-

27/06/2022

/ TRUE COPY /

/07/2022

Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO  
THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,  
FAST TRACK COURT,  
PERIYAKULAM.

COPY TO  
THE SECTION OFFICER,  
ACCOUNTS SECTION,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER  
IN  
C.M.P (MD) NO.1230 of 2022  
in  
A.S (MD) No.65 of 2012  
Date :27/06/2022

VSN  
PKP/JM/SAR-2/04.07.2022/2P/3C