



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

Tuesday, the Twenty Sixth day of April Two Thousand and Twenty Two

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP(MD) No.318 of 2022
in
SA(MD) No.658 of 2009

1 MARUDHA KARUPPAN (DIED)	...SOLE APPELLANT
2 M.CHINNA PALSAMY	
3 M.KANI	... PETITIONER/PROPOSED APPELLANT 2 AND 3/ LR's OF THE DECEASED SOLE APPELLANT
Vs	
1 SHANMUGAM (DIED)	... 1 st RESPONDENT
2 M.CHELLADURAI	... 2 nd RESPONDENT/2 nd RESPONDENT
3 SUNDARAN	... 3 rd RESPONDENT/PROPOSED 3 rd RESPONDENT/ LR's OF THE DECEASED 1 st RESPONDENT
4 K.GURUVAMMAL	
5 K.MOORTHY	
6 K.MAHARAJA	
7 S.MAHALAKSHMI	
8 S.MALLAIKA	... 4 TO 8 RESPONDENTS/PROPOSED 4 TO 8 RESPONDENT/LR's OF THE PREDECEASED SON OF 1 st RESPONDENT

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 2954 days in filing the petition to set-aside the abatement cause due to the death of the 1st Respondent (Late. U. Shanmugam) in the Second Appeal in S.A. (MD)No. 658 of 2009.

PRAYER IN SA(MD) No.658 of 2009:

Pleased to set aside the judgment and decree passed in A.S.No.99 of 2006 dated 28-07-2008 Sub-Court, Sankarankovil reversing the judgment and decree passed in O.S.No.67 of 2002 dated 01-03-2005 on the file of the Principal District Munsif Court,

<https://hcservices.ecourts.gov.in/hcservices/>



Sanakarankovil and allow the suit in O.S.No.67 of 2002 on the file of the Principal District Munsif Court, Sankarankovil.

ORDER : These petitions coming up for orders on this day, upon perusing the petitions and the affidavit filed in support thereof and upon hearing the arguments of MR.V.MEENAKSHISUNDARAM, Advocate for the petitioner, the Court made the following order:-

The reasons stated in this petition are not satisfactory but the legal representatives of the late first respondent are necessary party to the case.

2.Hence, this petition is allowed on condition of payment of Rs.2,500/- (Rupees Two Thousand Five Hundred only) to the Siddha Unit attached to this Bench, on or before 28.04.2022.

3.Call on 29.04.2022.

sd/-
26/04/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE SUBORDINATE JUDGE, SANKARANKOVIL.

2 THE PRINCIPAL DISTRICT MUNSIF,
SANKARANKOVIL.

COPY TO :

THE OFFICER-INCHARGE,
SIDDHA UNIT,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CMP(MD) No.318 of 2022 in
SA(MD) No.658 of 2009
Date :26/04/2022

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USK/PN/SAR-II/28.04.2022/2P/4C