



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Wednesday, the Twenty Third day of March Two Thousand and Twenty
Two

WEB COPY

PRESENT

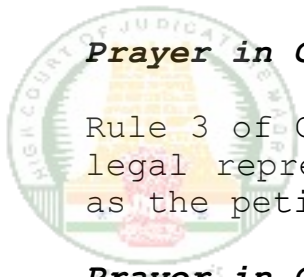
The Hon`ble Mrs.Justice S.ANANTHI

CMP(MD) . No.1836,1838,1839,1840, and 1842 of 2022
IN
CRP(MD) . No.2080 of 2013

1. Muthusamy (Died)
 2. Subramanian
 3. lakshmanan (Died)
 4. Rani
 5. Duraimurugan
 6. Sureshkumar
 7. Suganthi ...Petitioners 4 to 7 are brought on record as LRS
of the Deceased 1st Petitioner Vide Court order
Dated 23/03/2022 made in CMP(MD)Nos.1836,1838,
1839,1840 and 1842/2022 in CRP(MD)No.2080/2013
 8. Kanagam
 9. Rajadurai
 10. Radha ...Petitioners 8 to 10 are brought on record as
LRS of the Deceased 3rd Petitioner vide Court
order dated 23/03/2022 made in CMP(MD).Nos.1836,
1838,1839,1840 and 1842 of 2022 in CRP(MD)
No.2080/2013
- Rathika (Died)
- ... Petitioner/Proposed Petitioners/
L.Rs of 3rd petitioner 8 to 10
Vs
Rajendran ... Respondent/Respondent

Prayer in CMP(MD) . No.1836 OF 2022:-

This Civil Miscellaneous petition filed Under Order 9 Rule 9 of C.P.C. To set aside the order made in CRP(MD).No. 2080 of 2013 on the file of this Honourable Court, Which was dismissed for non prosecution on 18-02-2020 and restore the same and thus render justice.



Prayer in CMP(MD) . No.1838 OF 2022:-

This Civil Miscellaneous petition filed Under Order 22 Rule 3 of C.P.C. To bring on record the petitioners 4 to 7 herein as legal representatives of the deceased 1st petitioner and rank them as the petitioners 4 to 7 in CRP(MD).No.2080 of 2013

Prayer in CMP(MD) . No.1839 OF 2022:-

This Civil Miscellaneous petition filed Under Section 5 of Limitation Act. To condone the delay of 491 days in filing the petition to set aside the abatement caused to the death of the 3rd petitioner in CRP(MD).No.2080 of 2013

Prayer in CMP(MD) . No.1840 OF 2022:-

This Civil Miscellaneous petition filed Under Order 22 Rule 9(2) and Section 151 of C.P.C. To set aside the abatement caused by the death of the 3rd petitioner in CRP(MD).No.2080 of 2013

Prayer in CMP(MD) . No.1842 OF 2022:-

This Civil Miscellaneous petition filed Under Order 22 Rule 3 of C.P.C. To bring on record the petitioners 8 to 10 herein as legal representatives of the deceased 3rd petitioner and rank them as the petitioners 8 to 10 in CRP(MD).No.2080 of 2013

Prayer in CRP(MD) . No.2080 of 2013 :-

This Civil Revision petition filed Under Section 115 of CPC. To set aside the fair and decretal order dated 26.09.2013 passed by the District Munsif Court, Sivagangai in I.A.No.491 of 2013 in O.S.NO.114 of 2008

ORDER:- These Civil Miscellaneous Petitions coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.PRABHA, Advocate for the Petitioner, this Court made the following order:

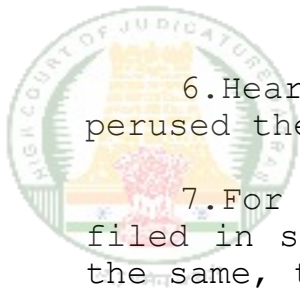
C.M.P(MD)No.1836 of 2022 has been filed to set aside the order made in CRP(MD)No.2080 of 2013 on the file of this Court, which was dismissed for non prosecution on 18.02.2020 and restore the same.

2.CMP(MD)No.1838 of 2022 has been filed seeking to bring on record the petitioners 4 to 7 herein as the legal representatives of the deceased first petitioner and rank them as the petitioners 4 to 7 in CRP(MD)No.2080 of 2013.

3.C.M.P(MD)No.1839 of 2022 has been filed to condone the delay of 491 days in filing the petition to set aside the abatement caused due to the death of the third petitioner in CRP(MD)No.2080 of 2013.

4.CMP(MD)No.1840 of 2022 has been filed to set aside the abatement caused due to the death of the third petitioner in CRP(MD)No.2080 of 2013.

5.CMP(MD)No.1842 of 2022 has been filed seeking to bring on record the petitioners 8 to 10 herein as the legal representatives of the deceased third petitioner and rank them as the petitioners 8 to 10 in CRP(MD)No.2080 of 2013.



6. Heard the learned counsel appearing for the petitioner and perused the materials placed before this Court.

7. For the reasons assigned in the accompanying affidavits filed in support of this petition and on being satisfied with the same, these petitions are ordered.

8. Registry is directed to carry out necessary amendments in the cause-title of the revision papers.

Sd/-

Assistant Registrar (CS II)

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/09/2022

Sub Assistant Registrar (CS)

TO

The District Munsif, Sivagangai

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 23/03/2022

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ORDER
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**CMP (MD) .No.1836,1838,1839,1840,
and 1842 of 2022**

IN

CRP (MD) . No.2080 of 2013

Giving direction and etc.
as stated within.

MGJ(29.09.2022) 3P 3C