



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

Monday, the Fourteenth day of March Two Thousand and Twenty Two

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP(MD) No.2201 of 2022

IN

SA(MD) No.713 of 2015

1 NATARAJAN

2 JOTHIBASU

... PETITIONERS/APELLANTS

Vs

S.AROKIJARAJ (DIED)

1 PUSHPARANI

2 AROKIJARANJANI

3 AROCKIYA SINDHUJA

4 KRISHTHU RAJA

... RESPONDENTS No.1 TO 4/

PROPOSED RESPONDENTS No.2 TO 5

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 1013 days to set aside the abatement caused due to the death of the Sole Respondent in the above Second Appeal in S.A.No.713 of 2015.

PRAYER IN SA(MD) No.713 of 2015:

Pleased to set aside the Judgment and Decree in A.S.No.2 of 2014 dated 28.08.2014 passed by Principal District Court, Pudukkottai, confirming the Judgment and Decree in O.S.No.132 of 2010 dated 11.11.2013 passed by Sub Court, Pudukkottai, Pudukkottai District, by allowing the second appeal with cost.

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 M/S.K.S.SRINIVASAN, Advocate for the petitioner, the Court made the following order:-

This petition is filed to condone the delay of 1013 days in filing the petition to set aside the abatement caused to the death of the sole respondent, viz., S.Arokiaraj.



2. Though the reasons stated in the affidavit are not satisfactory, an opportunity for the petitioners has to be given in the interest of justice. Hence, this petition is allowed and the delay is condoned on condition that the petitioners shall pay a sum of Rs.1,000/- (Rupees One Thousand only) to the credit of the "District Siddha Medical Officer, CCRI, Periyakulam" (payable in Account No.10767823177, SBI, Periyakulam), on or before 21.03.2022.

3. Call on 24.03.2022, "for reporting compliance".

sd/-

14/03/2022

/ TRUE COPY /

/ /2022

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

TO

1 THE PRINCIPAL DISTRICT JUDGE,
PUDUKKOTTAI.

2 THE SUBORDINATE JUDGE,
PUDUKKOTTAI.

COPY TO:

THE OFFICER INCHARGE,
DISTRICT SIDDHA MEDICAL OFFICER,
CCRI, PERIYAKULAM

ORDER

IN

CMP(MD) No.2201 of 2022

IN

SA(MD) No.713 of 2015

Date :14/03/2022

SS/PN/SAR:I/18.03.2022 : 2P/4C