



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

Tuesday, the Fifth day of April Two Thousand and Twenty Two
PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP(MD) No.2352 of 2022
IN
SA.No.1600 of 1998

1 MOTHER SUPERIOR ADAIKALA MATHA
KANNIYAR MADAM,
IRUDHAYAPURAM, KOTTAIYUR,
THIRUMAYAM TALUK.
PUDUKKOTTAI DISTRICT.

2 C.AZHAGAPPAN

3 A.AZHAGAPPAN

... PETITIONERS/APELLANTS

Vs

1 P.L.SHANMUGHAM (DIED) REP.BY Lrs.,

2 SOODIKODUTHAL

3 GNANAPOONGOTHAI ANNAMALAI

4 VASANTHAL MANI

5 MEENAKSHI SOMASUNDARAM

6 MEENAKSHI KANNAN

7 VADALLOORAN

8 MEENAKSHI SENTHINATHAN

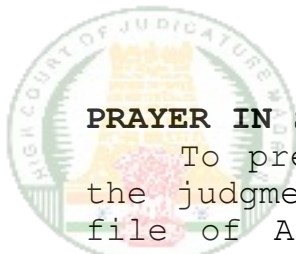
9 S.M.MEENAKSHI

10 S.M.GNANASABHAI

11 K.ARULMEENAM

... RESPONDENTS/PROPOSED
RESPONDENTS 2 TO 11

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 6297 days in filing the petition to set aside the abatement caused due to the death of the sole respondent in SA.No. 1600 of 1998.



PRAYER IN SA.No.1600/1998:

To prefer this memorandum of Grounds of Second Appeal against the judgment and decree dated 23.07.1998 in A.S.No.34/1997 on the file of Additional District Judge cum Chief Judicial Magistrate, Pudukkottai, reversing the judgment and decree dated 06.12.1993 and made in O.S.No.299 of 1992 on the file of Additional District Munsif, Pudukkottai.

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.P.THIYAGARAJAN, Advocate for the petitioners, the court made the following order:-

On the side of the petitioner, it is stated that the petitioner filed petitions in MP(MD)Nos.1 to 3/2012 for taking steps for the deceased sole respondent in the year 2012 with a delay of 3290 days. While the petitions are pending, on 07.03.2022, the counsel for respondent informed that some of the LR's are left out in MP(MD) Nos.1 to 3/2012. Hence, the appellant filed another petition in CMP (MD)No.2352/2022 to condone the delay of 6297 days.

The Original delay is 3290 days in taking steps for deceased sole respondent and the present delay includes that 3290 days. Since some of the LR's are left out, a fresh application was filed by the petitioners.

In view of the same, CMP(MD)No.2353/2022 is allowed on condition of payment of Rs.3,000/- to the siddha Hospital, attached to this Court, on or before 19.04.2022.

Call on 21.04.2022 "for reporting compliance".

sd/-
05/04/2022

/ TRUE COPY /

/ /2022

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

TO

- 1 THE ADDITIONAL DISTRICT JUDGE CUM CHIEF JUDICIAL MAGISTRATE, PUDUKKOTTAI.
- 2 THE ADDITIONAL DISTRICT MUNSIF, PUDUKKOTTAI.

COPY TO:

THE MEDICAL OFFICER, SIDDHA MEDICAL HOSPITAL,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CMP(MD) No.2352 of 2022
IN
SA.No.1600 of 1998
Date :05/04/2022

SA/JM/SAR.2/07.04.2022/2P/4C

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