



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

Thursday, the Thirty First day of March Two Thousand and Twenty Two
PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP(MD) No.2875 of 2022

IN

SA No.81 of 2000

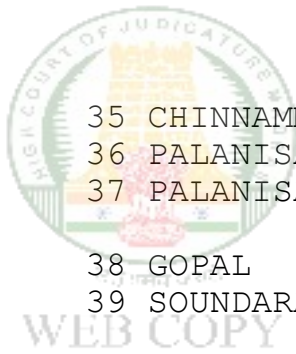
WEB COPY

- 1 K.PALANIANDI (DECEASED)
- 2 K.CHINNAIAH
- 3 K.PERIYASWAMI (DECEASED)
- 4 NACHAMMAL (DECEASED)
- 5 LINGAMMAL

... PETITIONERS/APELLANTS

Vs

- 1 KARANTHAN AMBALAM (DECEASED)
- 2 LINGAN (DECEASED)
- 3 MAZHUKKAN AMBALAM (DECEASED)
- 4 CHINNAIAN (DECEASED)
- 5 THOTTAH
- 6 NONJAN (DECEASED)
- 7 MINOR.PALANISWAMI
- 8 POPPAN AMBALAM (DECEASED)
- 9 KARANDHAN (DECEASED)
- 10 KULANDAIVEL
- 11 MAZHAKKAN (DECEASED)
- 12 CHINNAIAN AMBALAM (DECEASED)
- 13 PALANIAPPAN
- 14 KODANGI AMABALAM
- 15 PARAMAN S/O.CHINNAIAN
- 16 THONTHI @ PONNAMBALAM
- 17 LINGAN
- 18 MAZHUKKAN
- 19 KARANTHAN S/O.THINTHAN @ PONNAMBALAM
- 20 SUNDARARAJAN
- 21 PARAMAN S/O.THINTHI @ PONNAMBALAM
- 22 KARANTHAN S/O.LATE.PALANIANDI AMBALAM
- 23 MAZHUKKAN AMBALAM S/O.LATE.PALANIAMBALAM,
- 24 THANJAMMAL (DECEASED)
- 25 RAJA @ MURUGAN (DECEASED)
- 26 NACHAMMAL
- 27 ANANDAN
- 28 MINOR.AGATHIAN
- 29 ALAGAMMAL W/O.LATE.PALANIANDI AMBALAM
- 30 PERIYAKKAL
- 31 PALANIAMMAL @ VALLIAMMAL
- 32 LINGAMMAL
- 33 ALAGAMMAL W/O.ALAGUMALAI
- 34 SUNDARARAJAN W/O.LATE.KARANTHAN



35 CHINNAMMAL D/O.LATE.KARANTHAN

36 PALANISAMY

37 PALANISAMY @ KULANDAIVEL

... RESPONDENTS/RESPONDENTS

38 GOPAL

39 SOUNDARAPANDI

... RESPONDENTS/PROPOSED 38TH & 39TH RESPONDENTS
(LEGAL HEIR OF 2ND 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 2402 days in filing the petition to set aside the abatement caused due to death of the 2nd respondent in S.A. No. 81 of 2000 on the file of this Honourable Court.

PRAYER IN SA No.81 of 2000:

To prefer this Memorandum of Second Appeal to this Hon'ble Court against the decree and Judgment of the Court of the Principal District Judge, Dindigul District, Dindigul, made in A.S.No.67 of 1991 dated 17.09.1998, confirming the Decree and Judgment of the Court of the Additional District Munsif, Dindigul made in O.S.No.900 of 1984 dated 13.08.1990.

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.M.V.KRISHNAN, Advocate for the petitioner, the court made the following order:-

On the side of the appellant, a memo is filed stating that Rs.3 to 33 are not necessary party to the case and the case against the respondents 3 to 33 was given up by the appellant. Memo recorded.

2.On the side of the appellant, it is stated that the first appellant was following the case and till his death, the present appellant is not aware of the proceedings taken by the first appellant and there is a delay of 2402 days in taking steps for the deceased second respondent and pray the delay to be condoned.

3.The reasons stated are not satisfactory. But to give an opportunity for the appellant to put forth his case in the interest of justice, C.M.P.(MD)Nos.2875 of 2022 is allowed on payment of Rs.2,000/- (Rupees Two Thousand only) to the Siddha unit on or before 11.04.2022, failing which the order now passed will automatically stand vacated.

4.Call on 13.04.2022.

sd/-
31/03/2022

/ TRUE COPY /

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



TO

1 THE PRINCIPAL DISTRICT JUDGE,
DINDIGUL DISTRICT, DINDIGUL.

2 THE ADDITIONAL DISTRICT MUNSIF,
DINDIGUL.

COPY TO

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

ORDER

IN

CMP (MD) No.2875 of 2022

IN

SA No.81 of 2000

Date :31/03/2022

RS/PN/SAR.2 (04.04.2022) 3P-4C