



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

Monday, the Eighteenth day of April Two Thousand and Twenty Two
PRESENT

The Hon`ble Mrs.Justice R.THARANI
CMP(MD) No.3093 of 2022

IN

SA No.1763 of 2000

1 KARUPPAYEE (DIED)

2 PANCHAVARNAM

3 MURUGAVALLI

4 VELLAISAMY

5 PACKIYALAKSHMI

6 MANIKANDAN

7 ANANDHAN

8 MEENAMMAL

9 MANJULA DEVI

10 MAHALAKSHMI

... PETITIONERS/APPELLANTS
Vs

1 KARMEGAM (DIED)

2 MARISAMY (DIED)

3 LAKSHMI AMMAL

4 MEENAL

5 RAMAYEE

6 GOVINDAMMAL

7 KALIMUTHU THEVAR

8 KARMEGAM
S/O.LATE.AYYAVUR THEVAR

9 ALAGAR

10 SIGAPPI AMMAL



11 MALAIRAJ
S/O.LATE RAKKAPPA THEVAR
12 GANDHI
13 GOVINDARAJ

14 SELVAM

15 MALAIMEGU

16 KARUPPIAH

17 RAMACHANDRAN

18 GOVINDAN
S/O.LATE MUTHANDI THEVAR
19 RAKKU

20 KARUPPAYEE

21 GOVINDAN
S/O.NEELAMEGAM

22 KARMEGAM
S/O.NEELAMEGAM

23 KALIMUTHU

24 RAKKAMMLAL

25 KARUPPAIAH

26 LAKSHMI

27 MALAIRAJ
S/O.LATE MUNIYANDI THEVAR
28 GOVINDAN
S/O.LATE MUNIYANDI THEVAR

29 KALIAMMAI

30 MURUGESAN

31 MARIYAMMAL ... RESPONDENTS 1 TO 31/RESPONDENTS 1 TO 31

32 MARIAMMAL

33 KALIMUTHAAN

34 SURIYAGANDHI



36 PARIMALA

37 BALAKRISHNAN

38 HARIKRISHNAN

39 ROOPA

40 SANJAY

41 MAREESWARAN

... RESPONDENTS 32 TO 41/

PROPOSED RESPONDENTS 32 TO 41

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 3454 days in seeking to set aside the abatement cause due to death of the 2nd respondent namely Marisamy in S.A. No. 1763 of 2000.

PRAYER IN SA No.1763 of 2000:

Pleased to allow the above second appeal setting aside the judgment and Decree of the learned Principal District Judge, Ramanathapuram dated 13.02.2000 in A.S.No.2 of 1999 confirming the judgment and Decree of the learned Additional District Munsif, Ramanathapuram dated 31.07.1998 in O.S.No.298 of 1991 and to decree the said suit as prayed for.

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.G.SRIDHARAN, Advocate for the petitioner, the Court made the following order:-

On the side of the petitioner, it is stated that the petitioner is not aware of the death of R2 and there is a delay of 3454 days in taking steps for the deceased R2.

Reasons stated are not satisfactory. But the LR's of R2 are necessary party to the case.

Hence, this petition is allowed on condition of payment of Rs.2,000/- to the Siddha Hospital, attached to this Court, on or before 26.04.2022.

Call on 28.04.2022 "for reporting Compliance"

sd/-

18/04/2022

/ TRUE COPY /

/ /2022

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



TO

1 THE PRINCIPAL DISTRICT JUDGE,
RAMANATHAPURAM.

2 THE ADDITIONAL DISTRICT MUNSIF
RAMANATHAPURAM.

COPY TO:

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

ORDER
IN
CMP (MD) No.3093 of 2022
IN
SA No.1763 of 2000
Date :18/04/2022

SS/SVR/SAR:IV/20.04.2022 : 4P/4C