



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

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

The Hon`ble Mrs.Justice R.THARANI

CMP(MD) No.2308 of 2019

IN

SA No.1399 of 1999

1 VELU MOOPPANAR (DIED)

2 SHANMUGATHAI

3 CHITHIRAIIVADIVU

4 V.SUBRAMANIAN

5 SHANTHI

6 V.KUMAR

7 V.ISAKKIAMMAL

... PETITIONERS/APELLANTS

Vs

1 A.SWAMINATHAN (DIED)

2 E.LAKSHMI (DIED)

3 SUNDARAMMAL

4 PANCHALIAMMAL

5 ARUMUGAM

6 SUBBULAKSHMI

7 BALASUBRAMANIAN

8 VIJAYALAKSHMI

9 KALIAMMAL

10 MURUGESWARI

11 SWAMINATHAN

... RESPONDENTS 1 TO 11/RESPONDENTS 1 TO 11

12 RAMATHAL

... 12th RESPONDENT/PROPOSED 12th 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 1546 days in seeking to set aside the abatement of S.A.No.1399 of 1999 caused by the death of the 2nd respondent namely Lakshmi.

PRAYER IN SA(MD) No.1399 of 1999:

To prefer to this Honourable Court this Memorandum of Grounds of Second Appeal against the Judgment and Decree dated 29.06.1998 of the learned First Additional District Judge, Tirunelveli in A.S.No.183 of 1997 confirming the judgment and decree dated 21.08.1997 of the learned Principal Subordinate Judge, Tenkasi in O.S.No.110 of 1995.

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.T.M.HARIHARAN, 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 the second respondent and could not take steps within the time limit. There is a delay of 1546 days in taking steps for the deceased second respondent and pray the same to be condoned.

2. The legal representatives of the second respondent are necessary party to the case. Hence, this petition is allowed on payment of Rs.1,500/- (Rupees Thousand Five Hundred only) to the Siddha unit attached to this Bench, on or before 11.04.2022.

3. Call on 13.04.2022.

sd/-

04/04/2022

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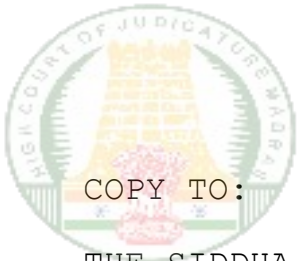
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE I ADDITIONAL DISTRICT JUDGE, TIRUNELVELI.

2 THE PRINCIPAL SUBORDINATE JUDGE, TENKASI



COPY TO:

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

ORDER
IN
CMP (MD) No.2308 of 2019
IN
SA No.1399 of 1999
Date :04/04/2022

SS/JM/SAR:I/08.04.2022 : 3P/4C