



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

Friday, the First day of April Two Thousand and Twenty Two

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP(MD) No.870, 871 & 872 of 2019
IN
SA No.1343 of 2000

V.GANDHI

... PETITIONER/APELLANT
IN ALL THE PETITIONS

Vs

1 PERIANNAN (DIED)

2 N.MENAKA

... 2nd RESPONDENT/PROPOSED
LR's OF DECEASED 1st RESPONDENT
IN ALL THE PETITIONS

PRAYER IN CMP(MD) . 870/ 2019 IN SA.No.1343/2000:

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 1028 days in filing the application to set aside the abatement of the deceased first respondent in the above Second Appeal in S.A.No.1343 of 2000 on the file of this Honourable Court.

PRAYER IN CMP(MD) . 871/ 2019 IN SA.No.1343/2000:

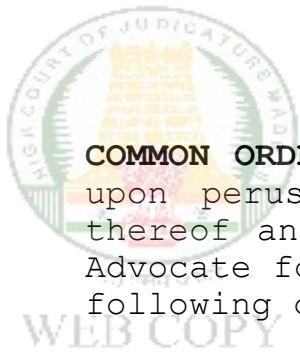
Pleased to set aside the abatement of the above Second Appeal in S.A.No.1343 of 2000 on the file of this Honourable Court for the reason of not bringing the legal representative of the deceased first respondent on record.

PRAYER IN CMP(MD) . 872/ 2019 IN SA.No.1343/2000:

Pleased to bring the second respondent herein on record as the legal representatives of the deceased first respondent by ranking him as second respondent in the above Second Appeal in S.A.No.1343 of 2000 on the file of this Honourable Court.

PRAYER IN SA.No.1343/2000:

Pleased to set aside the decree of judgment dated 11.11.1999, rendered in A.S.No.62 of 1997, on the file of the Second Additional Subordinate Judge, Madurai, confirming the decree and judgment dated 12.11.1996 rendered in O.S.No.32 of 1989 on the file of the District Munsif of Melur by allowing this Second Appeal.



COMMON ORDER : These petitions coming up for orders on this day, upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/S.P.JESSI JEEVA PRIYA, Advocate for the petitioner in all the Petitions, the court made the following order:-

On the side of the petitioner, it is stated that the appellant was not aware of the death of R1 and they are residing in different places and prayed the delay to be condoned.

LR's of the first respondent are necessary parties to the case and hence this petition is allowed on payment of cost of Rs.1,000/- to the Siddha Unit, attached to this court on or before 12.04.2022.

Call on 19.04.2022 "for reporting compliance".

sd/-
01/04/2022

/ TRUE COPY /

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

TO

1 THE SECOND ADDITIONAL SUBORDINATE JUDGE,
MADURAI.

2 THE DISTRICT MUNSIF
MELUR.

COPY TO:

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

ORDER

IN

CMP(MD) No.870, 871 & 872 of 2019
IN
SA No.1343 of 2000
Date :01/04/2022

SA/JM/SAR.2/04.04.2022/2P/4C