



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

Tuesday, the Twelfth day of April Two Thousand and Twenty Two

PRESENT

The Hon`ble Mrs.Justice R.THARANI

C.M.P. (MD) No.7359 of 2021
in
S.A.No.1822 of 2000

1 R.M.SUBBIAH AMBALAM (DIED)

2 ASHOKAN

3 RAKKAPPAN

4 V.SUBBIAH (DIED)

5 R.LAKSHMANAN

... PETITIONERS / APPELLANTS

6 SP.KARUPPAYIE

7 RM.SAVITHIRI

8 RM.SUBBIAH

9 RM.MEENATCHI

10 YASOTHAI

... PETITIONERS /
PROPOSED APPELLANT

Vs

1 C.KAMALANATHAN (DIED) ,

2 C.KRISHNAN (DIED)

3 C.RAJAGOPAL (DIED)

4 K.KAMALAM

5 K.KARTHIKEYAN

6 K.VEERAPANDIYAN



8 R.DEVI

9 R.SUNDARAMMAL

10 R.SANGEETHA

... RESPONDENTS / PROPOSED RESPONDENTS

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 6037 days in filing the petition to set aside the abatement caused due to the death of the 3rd Respondent in SA(MD)No.1822 of 2000.

PRAYER IN S.A.No.1822 of 2000:

To set aside the judgment and decree of the Learned Principal District Judge, Sivagangai dated 30.07.99 in A.S.No.17/99 reversing the Judgment and decree dated 24.09.98 of the Learned Subordinate Judge, Devakottai in O.S.No.88/99 and restore the Judgment and decree in O.S.No.88/97 dated 27.09.98 of the Learned Subordinate Judge, Devakottai.

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 MR.AL.GANTHIMATHI, Advocate for the petitioner, the court made the following order:-

On the side of the petitioners, it is stated that the appellants/petitioners are not aware of the pendency of the case and are not aware of the death of R3 and there is a delay of 6037 days in taking steps for the deceased R3.

Reasons stated are not satisfactory. But, the LR's of R3 are necessary to the case. Hence, this petition is allowed on condition of payment of Rs.6,000/- to the Siddha Hospital attached to this court, on or before 20.04.2022.

Call on 26.04.2022 "for reporting Compliance"

sd/-

12/04/2022

/ TRUE COPY /

/ /2022

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



TO

1 THE PRINCIPAL DISTRICT JUDGE,
SIVAGANGAI.

2 THE SUBORDINATE JUDGE,
DEVAKOTTAI.

COPY TO:

THE OFFICER INCHARGE,
SIDDHA WING,

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

C.M.P. (MD) No. 7359 of 2021

in

S.A.No.1822 of 2000

Date :12/04/2022

ls

MK/PN/SAR.IV/13.04.2022/3P/4C