



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

Tuesday, the Nineteenth day of July Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice **P.VELMURUGAN**

C.M.P(MD)No.5595 & 5596 of 2022
in
A.S(MD)No.127 of 2009

1 ANNAMALAI

2 THANGAM (DIED)

3 MOOKKAYEE

4 PALANIAMMAL(DIED) ...PETITIONERS 1 TO 4/APPELLANTS
IN BOTH PETITIONS

5 T.GANDHIMATHI

6 G.BOOMA DEVI

7 JOTHI

8 G.SHANMUGAPRIYA

9 T.GOMATHI

10 T.SAHADDEVAN ... PETITIONERS 5 TO 10/PROPOSED APPELLANTS
IN BOTH CASES

Vs

1 VELLAIAMMAL

2 DHANAMAMMAL

3 REDDIAMMAL

4 ALAMELU

5 JAYA

6 SUBRAMANI

7 SUNDARAMMAL



9 POORNAM

10 MUTHU

11 THAVAPANDI

12 KRISHNAMOORTHY (EX.WRITER)

13 RAMAKRISHNAN

14 PRITHVIRAJ

...RESPONDENTS 1 TO 9/RESPONDENTS
IN BOTH PETITIONS

... RESPONDENTS 10 TO 14/
PROPOSED RESPONDENTS
IN BOTH PETITIONS

Prayer in C.M.P(MD)No.5595 of 2022:

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 2667 days in filing the petition to set aside the abatement caused due to the death of the 4th appellant in AS(MD).No.127 of 2009.

Prayer in C.M.P(MD)No.5596 of 2022:

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 280 days in filing the petition to set aside the abatement caused due to the death of the 2nd appellant in AS(MD).No.127 of 2009.

Prayer in AS(MD). 127/ 2009 :

To call for the records and set aside the judgment and decree dated 31.08.2004 in O.S.No.40 of 2004 on the file of the Principal District Judge, Dindigul and dismiss the suit with costs throughout.

ORDER : These petitions coming up for orders on this day, upon perusing the petitions and the affidavit filed in support thereof and upon hearing the arguments of M/S.H.LAKSHMI SHANKAR, Advocate for the petitioner in both petitions and of M/S.G.GOMATHISHANKAR, Advocate on behalf of the Respondent Nos.1 to 5 in both petitions, the court made the following order:-

Orders of this Court dated 05.07.2022 has not been complied with. Therefore the aboce CMPs are dismissed.

sd/-
19/07/2022

/ TRUE COPY /

/07/2022

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



CMP(MD)



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TO

THE PRINCIPAL DISTRICT JUDGE,
DINDIGUL.

WEB COPY

ORDER

IN

C.M.P (MD) No.5595 & 5596 of 2022
in

A.S (MD) No.127 of 2009

Date :19/07/2022

RK/SVR/SAR-I/20.07.2022/3P/2C