



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

Monday, the Eleventh day of July Two Thousand and Twenty Two

PRESENT

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

C.M.P(MD)No.5856 of 2022
in
A.S.No.74 of 2002

LAKSHMANAN (DIED ON 01.04.2014)

1. MURUGAN ALIAS MURUGAIAH PILLAI

2 L.PREMANAYAGAM

3 L.CHIDAMBARAM

... PETITIONERS/2ND APPELLANT &
PROPOSED APPELLANTS 3&4

Vs

1 MUTHUSWAMY

2 SINGARAVELU (DIED ON 27.05.2020)

3 MUTHU ERULAPPAN

4 S. PATTAMMAL

5 S. PRAMANAYAGAM ALIAS SIVA

6 P. RAMALAKSHMI

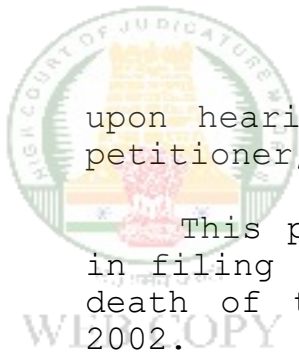
... RESPONDENTS/RESPONDENTS/
RESPONDENTS

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 2866 days in filing the petition to set-aside the abatement caused due to the death of the 1st appellant (Lakshmanan) in the Appeal Suit in A.S. No. 74 of 2002.

PRAYER IN A.S.No.74 of 2002:

To allow the above Appeal by setting aside the judgment and decree of the learned IInd Additional Subordinate Judge, Tirunelveli in O.S.No.25/97 dated 1-10-2001 in so far as the same is against the appellants 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.D.NALLATHAMBI, Advocate petitioner, the court made the following order:-

This petition has been filed to condone the delay of 2866 days in filing the petition to set aside the abatement caused due to the death of the first appellant in the appeal suit in A.S.No.74 of 2002.

2. The petitioners 2 and 3 are the legal representatives of the deceased first appellant. The reasons stated in the affidavit filed in support of this petition are not satisfied. However, in order to give an opportunity to the legal representatives of the deceased first appellant, this Petition is allowed on payment of cost of Rs.10,000/- (Rupees Ten Thousand only) before the Registry to the credit of C.M.P.(MD).No.5856 of 2022 in 10 days from the date of receipt of a copy of this order.

3. List the matter on **26.07.2022** for compliance.

sd/-
11/07/2022

/ TRUE COPY /

/07/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE IIND ADDITIONAL SUBORDINATE JUDGE, TIRUNELVELI.

COPY TO

1.THE SUB ASSISTANT REGISTRAR(AE),
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

2.THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

3.THE SECTION OFFICER,
ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
C.M.P (MD) No.5856 of 2022
in
A.S.No.74 of 2002
Date :11/07/2022

RK/SVR/SAR-III/13.07.2022 : 2P/5C

<https://www.mhc.tn.gov.in/judis>