



WEB COPY

CMP(MD)



22

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

Wednesday, the Twenty Seventh day of July Two Thousand and
Twenty Two
PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CMP(MD) No.6276 of 2022

IN

AS (MD) No.91 of 2022

1 K.N.RAVINDRAN

2 K.N.MANOCHARAN

... PETITIONERS/APELLANTS

Vs

1 G.VENKAKATESH SURESH (DIED)

... 1st RESPONDENT

2 K.N.RADHAKRISHNAN

3 M.BAGYALAKSHMI

4 G.RAJESHKUMAR

... RESPONDENTS 2 TO 4/
RESPONDENTS 2 TO 4

5 V.VIJAYALAKSHMI

6 V.JOSHNKA

7 V.JESHWANTH

... RESPONDENTS 5 TO 7/
PROPOSED RESPONDENTS 5 TO 7

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 148 days in filling the application to set aside abatement on the death of the 1st respondent in A.S.(MD).No.19 of 2012.

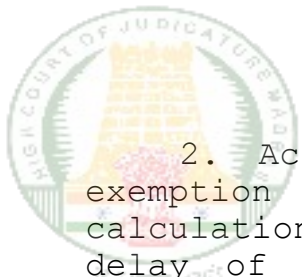
PRAYER IN AS(MD).91 of 2012:

Pleased to call for the records and set aside the Judgment and Decree dated 26.04.2012 in O.S.No.71 of 2009 on the file of Additional District Judge, Fast Track Court, Dindigul and allow this Appeal with cost throughout.

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.H.LAKSHMI SHANKAR, Advocate for the petitioners, the court made the following order:-

This petition is filed to condone the delay of 148 days in filing the application to set aside the abatement on the death of the first respondent in the appeal.

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



2. Actually the delay is 853 days. However, due to the exemption given by the Hon'ble Supreme Court for the purpose of calculation of limitation, due to Covid - 19 Pandemic, there is a delay of 148 days in filing the application to set aside the abatement. Though the reasons stated in the accompanying affidavit filed in support of this petition are not satisfied, in order to give an opportunity to the parties, this petition is allowed on payment of cost of Rs.5,000/- (Rupees Five Thousand only) before the Registry to the credit of C.M.P.(MD).No.6276 of 2022 on or before 10.08.2022, failing which the petition shall stand dismissed automatically without further reference to this Court.

3. List the matter on **11.08.2022** for compliance.

sd/-

27/07/2022

/ TRUE COPY /

/08/2022

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

TO

THE ADDITIONAL DISTRICT JUDGE,
FAST TRACK COURT,
DINDIGUL.

COPY TO:

- 1 THE REGISTRAR (JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 2 THE SUB-ASSISTANT REGISTRAR,
A.E.SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE SECTION OFFICER,
ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CMP(MD) No.6276 of 2022 IN
AS (MD) No.91 of 2022
Date :27/07/2022

SA/VR/SAR.2/01.08.2022/2P/6C