



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

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

PRESENT

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

CMP(MD) No.4976 of 2018

IN

AS No.761 of 2002

1 RAJAMMAL (DIED)

2 SIVAGAMASUNDARI

... PETITIONERS/APPELLANTS

Vs

1 KAVERI (DIED)

2.MUTHUSAMY KONAR

3 KATHIRVEL

4 K.MURUGESAN

5 RAMAKRISHNAN

6 MANICKA KONAR

7 PALAYAM KOOTHAYI AMMAL

8 RENGANAYAH I AMMAL (DIED)

9 N.V. MANICKAM

10 N.V.VENKATASALAM

11 VENKATASALA KONAR & AMMASI

12 S.PUSPA

13 R.RAJASEKARAN

14 R.GOMATHI

15 R.BANUMATHI

16 R.KANNAN

...RESPONDENTS/RESPONDENTS



17 PANNEER

18 MAHALAKSHMI

19 ANJALI

20 MOHANA

... RESPONDENTS 17 TO 20/
PROPOSED RESPONDENTS 17 TO 20

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 308 days in seeking to set aside the abatement of AS.No.761 of 2002 caused by the death of the 8th respondent namely Renganayahi Ammal.

PRAYER IN AS No.761 of 2002:

To prefer to this Hon'ble Court this memorandum of Regular Appeal against the Judgment and Decree dated 05/11/1993 made in O.S.No.424 of 1981 on the file of the Court of the Subordinate Judge, Trichy.

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.T.M.HARIHARAN, Advocate for the petitioner, the court made the following order:-

This petition is filed to condone the delay of 308 days to set aside the abatement caused due to the death of the eighth respondent.

2.When the matter was came up for hearing on 21.06.2022, this Court issued notice to the proposed respondents Nos.17 to 21. Though notice was served on them and their names were also printed, none appeared on behalf of them.

3.However, inorder to give an opportunity to the parties, this petition is allowed, on payment of cost of Rs.10,000/- before the registry to the credit of C.M.P.(MD)No.4976 of 2018, within a period of 10 days from today(12.07.2022), failing which, this petition shall stand dismissed for default, automatically without further reference to this Court.

4.Post the matter on 27.07.2022, 'for reporting compliance'.

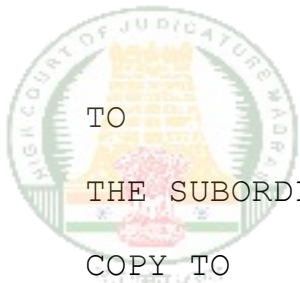
sd/-

12/07/2022

/ TRUE COPY /

/07/2022

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



CMP(MD)



18

TO

THE SUBORDINATE JUDGE, TRICHY.

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
CMP (MD) No.4976 of 2018
IN
AS No.761 of 2002
Date :12/07/2022

RK/JM/SAR-III/14.07.2022 : 3P/5C