



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Thursday, the Thirty First day of March Two Thousand and Twenty Two

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP (MD) No.12390, 12391 & 12392 of 2018

IN

SA No.701 of 2000

1 APPADURAI (DIED) ...APPELLANT

2.MARIAMMAL,

3 SOORIAKANTHAM

4 SAROJA

5 A.VEERAMUTHU

6 A.SELVAKUMAR ... PETITIONERS/APPELLANTS 2 TO 6

Vs

1 RAMAIYAN

2 SIVAKUMAR

3 ADINARAYANAN

4 PATTAMMAL

5 GOVINDA KANDIAR (DIED) ...RESPONDENTS/RESPONDENTS

6.G.GNANAPRAKASAM,

7 G.KASINATHAN

8 REVATHI

9 DENAMBAL

10 RENUGA ... RESPONDENTS/PROPOSED RESPONDENTS 6 TO 10/
LEGAL HEIR DECEASED 5th RESPONDENT



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 3865 days to set aside the abatement caused due to the death of 5th respondent.

Prayer in CMP(MD) . 12391/ 2018 :

pleased to set aside the abatement caused due to the death of 5th respondent and thus render justice

Prayer in CMP(MD) . 12392/ 2018 :

pleased to bring on record the respondents 6 to 10 as 7 the legal heirs of deceased 5th respondent and rank them as respondents 6 to 10 in the above second appeal .

Prayer in S(MD)No. 701 of 2000:

Pleased to set aside the decree and judgment of the Subordinage Judges Court, Pattukottai Passed in A.S.No. 12/99 dated 29/01/2000 confirming the decree and judgment of the District Munsif's Court, Pattukottai passed in O.S. No. 258 of 1990 dated 22/04/1996.

ORDER : These petitions coming up for orders on this day, upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of Mr.V.K.VIJAYARAGAVAN, Advocate for the petitioner, the court made the following order:-

On the side of the appellant, it is stated that due to inadvertence, the appellant could not take steps for the deceased fifth respondent and there is a delay of 3865 days and pray the same to be condoned.

2.The appellant has admitted the truth in the affidavit. But anyhow, the appeal is pending for more than 10 years. The legal representatives of the fifth respondent are necessary for the case. Hence, to give one more chance for the appellant to put forth his case, this petition is allowed on payment of cost of Rs.1,000/- (Rupees one Thousand only) to the Siddha Unit attached to this Bench on or before 11.04.2022. Connected C.M.P.(MD)Nos.12391 and 12392 of 2018 are also allowed. Registry is directed to carry out necessary amendments.

3.Call on 19.04.2022.

sd/-
31/03/2022

/ TRUE COPY /

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



Madurai - 625 023.

TO

1 THE DISTRICT MUNSIF,
PATTUKOTTAI

2 THE SUBORDINATE JUDGE,
PATTUKOTTAI

COPY TO
THE OFFICER INCHARGE,
SIDDHA UNIT,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CMP (MD) No.12390, 12391
& 12392 of 2018

IN

SA No.701 of 2000

Date :31/03/2022

pnn

PKP/SVR/SAR-2/07.04.2022/3P/4C