



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

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

PRESENT

**The Hon`ble Mrs.Justice R.THARANI**

CMP(MD) No.6661 of 2017

IN

SA No.1500 of 2003

1. P.NALLATHAMBI
2. A.RAJATHYANGAM
3. THANGAPPAN
4. RAJAMMAL
5. T.RAJENDRAN (DIED)
6. T.RAJADOSS
7. T.PREMA
8. T.GNANA DEEPAM
9. T.SUGANTHI LET
- 10.T.SANTHI
- 11.DONI
- 12.MINOR JEBIN BLASHIKHA
- 13.MINOR JETTU SOLOMAN

... PETITIONERS/APPELLANTS

(MINOR 13TH PETITIONER REPRESENTED  
BY HER MOTHER AND NATURAL GUARDIAN  
11TH PETITIONER)

Vs

1. THANGAMMA NADACHI (DIED)
2. C.DEVARAJ
3. C.RJAMANI
4. BALAIAN
5. C.KUMARESAN
6. P.PONNU PILLA (DIED)
7. ROSAMMAL
8. H.THANGAM
9. H.PALTHANGAM
- 10.H.LEELA
- 11.H.SUSEELA
- 12.H.SEKAR
- 13.H.VIJILA
- 14.H.LATHA
- 15.A.THANGAMANI
- 16.P.SELVANAYAGAM
- 17.S.KAMALESAN (DIED)
- 18.P.SELVARAJ
- 19.T.SELLAPPAAN
- 20.SELVAPILLAI



21.S.GNANAVADIVU  
22.ANJALI  
23.S.SELLAPPAN  
24.S.THANGAPPAN  
25.PUSHPAM  
26.ISAKKI PILLAI  
27.N.RATHINAMANI  
28.N.THANGARATHINAM  
29.N.NAADACHI  
30.M.MARIATHANGAM  
31.N.KAMALATCHI  
32.N.MARINESAN  
33.T.SORNABAI  
34.MANI ALIAS NELSON  
35.KALA  
36.VINCENT  
37.MINOR V.V.VINNARASU

... RESPONDENTS/PROPOSED  
RESPONDENTS/LR OF R6.

38.S.REETHA  
39.BELGIN PRATHAP SINGH  
40.MELBIN PRATHAP SINGH

... RESPONDENTS/PROPOSED  
RESPONDENTS 38 TO 40/  
L.RS OF DECEASED 17<sup>th</sup>  
RESPONDENT

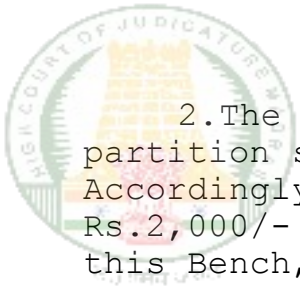
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 3540 days in filing the application to set aside the abatement caused due to the death of the 17th respondent.

**PRAYER IN SA NO.1500 OF 2003 :**

To prefer this Memorandum of Grounds of Second Appeal against the judgment and decree dated 22.07.2003 and made in A.S.No.110 of 1997 on the file of Sub Court, Padmanabhapuram, confirming the judgment and decree dated 21.06.1996 and made in OS No.703 of 1987 on the file of Principal District Munsif Court, Padmanabhapuram.

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 P.THIAGARAJAN, Advocate for the petitioners, the court made the following order:-

On the side of the petitioner it is stated that the deceased 17th respondent was set ex-party before the lower Court. The appellant is under the impression that his legal representatives are need not be impleaded. Later, on advice of the advocate they wanted to implead the legal representatives of the 17th respondent and there is a delay of 3540 days in taking steps for the deceased 17th respondent.



2.The reasons stated are not satisfactory. But in the partition suit, all the legal representatives are necessary parties. Accordingly, this petition is allowed on payment of cost of Rs.2,000/- (Rupees Two Thousand only) to the Siddha unit attached to this Bench, on or before 18.04.2022.

WEB COPY

3.Call on 19.04.2022.

sd/-  
12/04/2022

/ TRUE COPY /

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

TO

1. THE SUBORDINATE JUDGE,  
PADMANABHAPURAM.
2. THE PRINCIPAL DISTRICT MUNSIF,  
PADMANABHAPURAM.

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

ORDER  
IN  
CMP (MD) No.6661 of 2017  
IN  
SA No.1500 of 2003  
Date :12/04/2022

pnn  
USK/PN/SAR-II/18.04.2022/3P/4C