



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Thursday, the Eighteenth day of August Two Thousand
and Twenty Two

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PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CMP(MD) . No.8483 of 2018
in
AS.No. 904 of 2004

Kathan (Died)

K.Anbarasu

... Petitioner/Proposed Appellant

Vs

1 Mariyayee (Died)

2 Chitra

3 Parimala

... Respondents 1 to 3/Respondents 1 to 3/
Plaintiff 1 to 3

Elango (Died)

4 Valarmathi

5 Pandiyan

6 Chellappa

7 Anbarasi (Died)

... Respondents 4 to 7/Respondents 4 to 7/

Defendants 3 to 6

8 Muthulakshmi

9 Bama

10 Nilavan

11 Selvam

... Respondents 8 to 11/Proposed Respondent
(LRS of the deceased 4th respondent/2nd
defendant)



13 M.Malika

14 S.Mohanarani

15 S.Ramathilagam

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(Memo dated 08.08.2022 in USR No. 21896 & 21895 are recorded, as 1st and 7th respondents died, and RR2 and 3 are LRS of the deceased R1 vide Court order dated 18.08.2022 made in CMP(MD).No. 8483 of 2022 in AS.No 904/2004)

... Respondents 12 to 15/Proposed

Respondent

(LRS of the deceased appellant)

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Prayer in CMP(MD). No.8483 of 2018:-

This Petition filed under Section 5 of Limitation Act, Praying this Court to condone the delay of 429 days, in filing a petition to set aside the dismissal order dated 21.04.2017, and to restore the above appeal.

Prayer in AS. 904/ 2004 :

This Appeal filed under Section 96 of C.P.C., praying this Court, against the Judgment and Decree dated 20.4.2004 made in O.S.No.89 of 2004, on the file of the District Court, Karur, Karur District.

ORDER:- This Petition is coming on for hearing on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. R.Sundar, Advocate for the Petitioner, this Court made the following order:

" In view of the dismissal order dated 18.08.2022 passed in CMP(MD).Nos. 8484, 8485 and 8486 of 2018 in AS.No. 904 of 2004, this Civil Miscellaneous Petition is also dismissed."

Sd/-

Assistant Registrar (CS I)

// True Copy //

/09/2022

Sub Assistant Registrar(CS)



CMP(MD).



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To

The District Judge, Karur, Karur District.

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ORDER DATED : 18/08/2022

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ORDER

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CMP(MD) . No.8483 of 2018

in

AS.No. 904 of 2004

Giving direction and etc.
as stated within.

SS/20/09/2022/ 3P 2C