



WEB COPY



CMP No.8567 of 2020
and AS.SR.No.46727 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
and
THE HONOURABLE MRS.JUSTICE R.KALAIMATHI

CMP No.8567 of 2020
and AS.SR.No.46727 of 2015

1. Jotheeswari
2. Palani

.. Petitioners/Appellants

Vs.

1. C.R.Kamini
2. Kamalavathy
3. Mathivel
4. Chinnammal
5. Santhi alias Parvathy
6. Baskaran
7. Uma
8. Baby
9. Vairavan
10.Sivakami
11.Minor Hariprasad
12.Minor Gowthami
[Minors 11 and 12 rep. by Court
Guardian K.Vijayan]

.. Respondents/Respondents

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Prayer in CMP.No.8567 of 2020: This petition has been filed under Order IV Rule 9(4) of AS Rules to condone the delay of 1693 days in representing the above first appeal.

Prayer in AS.SR.No.46727 of 2015: This Appeal Suit filed under Section 96 CPC read with Order 41 Rule 1 & 2 against the judgment and decree of the learned Principal District Judge of Krishnagiri, dated 09.03.2015 in O.S.No.38 of 2012.

For appellants : Mr.N.E.A.Dinesh

For respondents
for RR1, 5 to 10 : Mr.K.Narayanan

JUDGMENT

(The Judgment of the Court was delivered by S.VAIDYANATHAN, J)

This Court, vide order dated 17.03.2023, allowed the miscellaneous petition on condition that the appellants should pay costs of Rs.5,000/- to Cancer Institute, Chennai, within a period of one week from the date of receipt of a copy of the order.

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2. Today, it is represented that the conditional order dated 17.03.2023 has not been complied with. Hence, the miscellaneous petition stands dismissed. Consequently, the appeal suit is rejected at the S.R. stage itself. No costs.

(S.V.N.J.,) (R.K.M.J.,)
17.04.2023

Speaking Order: Yes / No
pvs

To

1. The Principal District Judge, Krishnagiri
2. The Section Officer, V.R.Section, High Court, Madras



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and
R.KALAIMATHI, J

pvs

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