



WEB COPY

CMP(MD)



23

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

Tuesday, the Thirty First day of January Two Thousand and Twenty
Three

PRESENT

The Hon`ble Mr.Justice S.SOUNTHAR

CMP(MD) No.995 of 2023

IN

SA No.941 of 2000

KANJARADIAR KONAR (DIED)

- 1.PANDI
- 2 PAPPA
- 3 VALLI
- 4 SATHAIYA
- 5 GANDHIMATHI
- 6 KRISHNAVENI
- 7 MAHESWARI

... PETITIONERS/PROPOSED PETITIONERS
/APPELLANTS

Vs

KARUPPAIYH KONAR (DIED)

- 1 K.CHELLAMMAL
- 2 K.GANESHAN

K.GOIVINDAN (DIED)

- 3 PUSHPAM
- 4 NESA VADIVEL
- 5 SARAVANAN
- 6 THIRUGNANA SAMBANTHAM
- 7 PRIYA
- 8 K.SUBRAMANIYAN
- 9 K.ARUMUGAM
- 10 K.ALAMELU MANGAI
- 11 K.YASODHAI

... RESPONDENTS/RESPONDENTS
/PROPOSED RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to set-aside the order and restore the Miscellaneous Petition in M.P.(MD). No. 1 to 3 of 2013 in S.A. No. 941 of 2000 which was dismissed on 22.11.2017.

Prayer in MP(MD).1/ 2013 in SA.941/2000 :

To condone the delay of 1660 days in filing the set aside the abatement petition against the death of sole respondent in above
SA No. 941/2000.

<https://www.judh.in.gov.in/MDs>



Prayer in MP(MD).2/ 2013 in SA.941/2000 :

To set aside the order of abatement caused due to the death of sole respondent in the above said SA.No. 941/2000.

Prayer in MP(MD).3/ 2013 in SA.941/2000 :

To pass an order to bring on record the respondents / proposed parties herein as legal heirs of the deceased sole respondent in the above said SA.No. 941/2000.

Prayer in SA.941/2000 :

To prefer the above Second Appeal against the Judgement and Decree dated 28.01.1999 and made in A.S.No.138 of 1996 on the file the Principal District Judge, Ramanathapuram by reversing the judgement and decree dated 12.09.1994 and made in O.S.No.61 of 1985 on the file of the District Munsif Court, Ramanathapuram.

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.J.MADHU, Advocate for the petitioners, the court made the following order:-

Having satisfied with the reasons assigned in the affidavit filed in support of this petition, this petition is allowed.

M.P(MD)Nos.1, 2 and 3 of 2013 are restored to file.

Registry is directed to list the MP(MD)Nos.1, 2 and 3 of 2013 on 02.02.2023.

sd/-

31/01/2023

/ TRUE COPY /

01/02/2023

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

vsd

TO

- 1 THE PRINCIPAL DISTRICT JUDGE, RAMANATHAPURAM DISTRICT.
- 2 THE DISTRICT MUNSIF, RAMANATHAPURAM DISTRICT.

COPY TO

THE SECTION OFFICER, JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CMP(MD) No.995 of 2023

IN SA No.941 of 2000

Date :31/01/2023

RS/SSS/SAR.2 (01.02.2023) 2P-4C

<https://www.mhc.tn.gov.in/judis>