



S.A.



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

Thursday, the Fifteenth day of June Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

C.M.P (MD) Nos.959, 962 & 963 of 2023
in
S.A.No.1056 of 2001

1 SUBBIAH PILLAI (DIED)

2 PALANI ACHI (DIED)

3 SORNMA

4 MANOHARAN

5 NAGENDIRAN (DIED)

6 ARUMUGAM PILLAI

7 PONNAMMAL

8 PAVAYA

9 ANUSHA

... PETITIONERS/APPELLANTS/DEFENDANTS
IN ALL THE PETITIONS

Vs

1 BALASUNDARI (DIED)

2 KUMARESAN PILLAI (DIED)

3 NATARAJAN

... RESPONDENTS/RESPONDENTS/PLAINTIFFS
IN ALL THE PETITIONS

4 VIJAYALAKSHMI

5 S.AMBICA

6 NANDU @ NANDAGOPAL

7 BABU

8 USHA



9 VELMURUGAN

10 THANGAM

11 SARASWATHI

12 JAYA

13 MEENA

14 VETRIVEL @ MURUGAN

15 UMA

16 VASANTHA

S.A.



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... PROPOSED RESPONDENTS/
1st RESPONDENT
IN ALL THE PETITIONS

... 10th TO 16th PROPOSED RESPONDENTS/
DECEASED 2nd RESPONDENT
IN ALL THE PETITIONS

Prayer in CMP(MD).959/2023

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 3518 day in filing the application to set aside the abatement caused to the death of the 2nd respondent in the above second appeal in S.A.(MD).No.1056 of 2001 and thus render justice.

Prayer in CMP(MD). 962/ 2023 :

To set aside the abatement caused to the death of the 2nd respondent in the above second appeal in S.A.(MD).No.1056 of 2001.

Prayer in CMP(MD). 963/ 2023 :

To permit the petitioner to bring on record the respondents 10th to 16th herein as the legal representatives of the deceased 2nd respondent and rank them as No.10 to 16 respondent in the above second appeal in S.A.(MD).No.1056 of 2001.

PRAYER IN SA.1056/2001:

Pleased to prefer this Memorandum of Grounds of Second Appeal against the judgment and decree in AS.No.67 of 2000 and cross Objections on the file of Principal Sub Court, Nagercoil, dated 30.04.2001 confirming the judgment and decree dated 17.04.2000 and made in OS.No.880 of 1986 on the file of Additional District Munsif Court, Nagercoil.

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 none appeared for the Petitioner



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side either in person or by an advocate in all the Petitions. The court made the following order:-

These applications are filed to condone the delay of 3518 days in filing the application to set aside the abatement caused due to the death of the second respondent in the above appeal, to set aside the abatement and to bring on record the respondents 10 & 16 herein as the legal representatives of the deceased second respondent.

2. No representation for the petitioner. Batta not paid. Therefore, these applications are dismissed for default.

sd/-

15/06/2023

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/06/2023

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

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TO

1 THE PRINCIPAL SUBORDINATE JUDGE,
NAGERCOIL.

2 THE ADDITIONAL DISTRICT MUNSIF
NAGERCOIL.

COPY TO:

1 THE SUB ASSISTANT REGISTRAR
A.E.SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

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

ORDER**IN**

C.M.P (MD) Nos.959, 962 & 963 of 2023
in

S.A.No.1056 of 2001

Date :15/06/2023

SA/VR/SAR. /22.06.2023/3P/5C