



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

Friday, the Second day of June Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

C.M.P. (MD) No.2944 of 2023
in
SA.No.794 of 1999

ANTONY HEARTLINE

... PETITIONER/APPELLANT

Vs

1 ABAYAM THEERTHA PILLAI (DIED)

... 1ST RESPONDENT

2 SUBBIAH

3 SENTHUR PANDIAN (DIED)

... 3RD RESPONDENT

4 SUBBIAH (DIED)

... 4TH RESPONDENT

5 ANNALAKSHMI (DIED)

... 5TH RESPONDENT

6 SORIMUTHU

7 VEERABHATHRAN

8 PARAMASIVAN

9 ARUMUGHA NAINAR

... 6TH TO 9TH RESPONDENTS/
6TH TO 9TH RESPONDENTS

10 SEETHA LAKSHMI

11 VEERA LAKSHMI

... 10 & 11 RESPONDENTS/
PROPOSED 10 & 11 RESPONDENTS
LEGAL HEIRS OF DECEASED 4TH RESPONDENT

12 SANKARANARAYANA

13 ABAYAM THEERTHAN

14 SORNA VELAYUDAM

... 12 TO 14 RESPONDENTS/
PROPOSED 12 & 14 RESPONDENTS
LEGAL HEIRS OF DECEASED 5TH RESPONDENT



Petition filed praying that in the circumstance therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 1724 days in filing the application to set aside the abatement in appeal in S.A.NO.794 of 1999 on account of the death of the 5th respondent and pass such further or other order as this Hon`ble Court may deem fit and proper in the circumstance of the case, and thus render justice.

Prayer in SA. 794/ 1999 :

To prefer this Memorandum of Grounds of Second Appeal against the judgment and decree in A.S.No.123 of 1995 on the file of the Sub Court, Tuticorin, dated 22.09.1998 confirming the judgment and decree in O.S.No.37 of 1993 on the file of Principal District Munsif Court, Tuticorin, dated 22.08.1995

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 MR.M.SENGUVIJAY, Advocate for the petitioner, the court made the following order:-

Order of this Court dated 27/04/2023 has not been complied with, hence, this petition is dismissed.

sd/-

02/06/2023

/ TRUE COPY /

/06/2023

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

AM

TO

1 THE SUBORDINATE JUDGE, TUTICORIN.

2 THE PRINCIPAL DISTRICT MUNSIF, TUTICORIN.

COPY TO:

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

ORDER

IN

C.M.P. (MD) No.2944 of 2023
in
SA.No.794 of 1999
Date :02/06/2023

SA/CG/SAR. /02.06.2023/2P/4C