



CMP(MD) No.4281 of 2023

WEB COPY

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

Friday, the Fourteenth day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CMP(MD) Nos.4281,4283 & 4285 of 2023

in

SA(MD)No. 947 of 2008

1 O.A.A.ANANTHA PADMANABAN CHETTIYAR(DIED),
...SOLE APPELLANT IN ALL PETITIONS

2 SUNDARAM,

3 VALLI, ...PETITIONERS/PROPOSED APPELLANTS 2,3
LRS OF THE DECEASED SOLE APPELLANT IN ALL PETITIONS

Vs

1 M.SINGARAM CHETTIAR(DIED), ...SOLE RESPONDENT IN ALL PETITIONS

2 K.ALAMELU,

3 SAMINATHAN, ...RESPONDENTS 2 & 3/ PROPOSED RESPONDENTS 2,3
LRs OF DECEASED SOLE RESPONDENT IN ALL PETITIONS

4 MUTHU ADAIKAPPAN,

5 ANNAMALAI, ...RESPONDENTS 4 & 5/ PROPOSED RESPONDENTS 4 & 5/
LRs OF THE DECEASED SOLE APPELLANT IN ALL PETITIONS

Prayer in CMP(MD). 4281/ 2023 :

To condone the delay of 4285 days in filing the application to set aside the



CMP(MD) No.4281 of 2023

abatement caused due to the death of the deceased sole respondent namely Singaram Chettiar in the above appeal and thus render justice.

Prayer in CMP(MD). 4283/ 2023 :

To set aside the abatement caused due to the death of the deceased sole respondent namely Singaram Chettiar in the above appeal and thus render justice.

Prayer in CMP(MD). 4285/ 2023 :

To bring on record the petitioners 2 and 3 as legal representative of the deceased sole respondent namely Singaram Chettiar as respondents 2 and 3 in the above appeal and thus render justice.

Prayer in SA(MD)No. 947 OF 2008:

Pleased to set aside the judgment and decree dated 14.12.2007 in A.S.No. 74/2005 on the file of the Subordinate Judge, Trichy reversing the judgment and decree dated 05.04.2005 in O.S.No. 292/97 on the file of the Principal District Munsif, Trichy, and allow the second appeal.

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 M/S. R. DEVARAJ, Advocate for the petitioner IN ALL PETITIONS, the court made the following order:-



CMP(MD) No.4281 of 2023

WEB COPY

This Court by order dated 27.06.2023 has allowed the condone delay petitions in C.M.P(MD)No.4281 of 2023 with a cost of Rs.42,000/-. Conditional order passed by this Court dated 27.06.2023 has not been complied with, hence, this application in C.M.P(MD)No.4281 of 2023 is dismissed.

2. In view of the dismissal of the condone delay application, other consequential applications in C.M.P(MD)Nos.4283, & 4285 of 2023 are also dismissed.

sd/-
14/07/2023

/ TRUE COPY /

/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AM
TO
1 THE SUBORDINATE JUDGE, TRICHY

2 THE PRINCIPAL DISTRICT MUNSIF, TRICHY

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

ORDER
IN
CMP(MD) Nos.4281,4283 & 4285 of 2023
in
SA(MD)No. 947 of 2008
Date :14/07/2023

Madurai Bench of Madras High Court is issuing certified
copies in this format from 17/07/2023

PKP/BUC/SAR- /19.07.2023/ 3P/4C

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