



CMP(MD). No.8468 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Thursday, the Twenty Third day of November Two Thousand and Twenty Three

PRESENT

The Hon`ble Mrs.Justice R. KALAIMATHI

CMP(MD). Nos.8468 to 8470 of 2023

in

SA(MD)No.504 of 2011

1.T.S.Govindarajan(Died)

... Appellant

2.T.G.Gurunathan

3.T.G. Balaguru

... 2 & 3 Proposed Petitioners/

2 & 3 Proposed Appellants

in all MP's

Vs

1 S.K.Venkateswaran

2 S.K.Saminathan

3 S.K.Subramanian

... Respondents/ Respondents

in all MP's

Prayer in CMP(MD). No.8468 of 2023

Civil Miscellaneous Petition filed under section 5 of Limitation Act to condone the delay of 88 days in filing the petition to set aside the abatement caused due to the death of sole appellant in SA(MD) No.504 of 2011 and thereby render justice.

Prayer in CMP(MD). 8469/ 2023 :

Civil Miscellaneous Petition filed under order 22 Rule 9 r/w section 151 of cpc To set aside the abatement caused due to the death of sole appellant in S.A.(MD) No.504 of 2011 and thereby render justice.

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



CMP(MD). No.8468 of 2023

Prayer in CMP(MD). 8470/ 2023 :

Civil Miscellaneous Petition filed under order 22 Rule 3 r/w section 151 of cpc To bring on record the proposed appellants 2 and 3 as the legal representatives of the deceased sole appellant and rank them as appellants 2 and 3 in the Second Appeal SA(MD) No.504 of 2011 and thereby render justice.

Prayer in SA(MD) 504 of 2011

Second Appeal filed under Section 100 of Cpc, against the judgment and decree, dated 13.04.2009 passed by the Principal Subordinate Court, Kumbakonam in A.S.No.21 of 2007 confirming the judgment and decree dated 24.04.2006 passed by the District Munsif Court, Kumbakonam in O.S.No.368 of 2004.

ORDER:- These Petitions coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.H.Lakshmi Shankar Advocate for the Petitioner in all the petitions, this Court made the following order:

Heard both sides.

2. The learned counsel for the respondents has no serious objection.

3. Accepting the reasons stated in the affidavit enclosed with the petitions, the petitions stand allowed.

4. Registry is directed to effect amendment accordingly and post the appeal after two weeks.

Sd/-

Assistant Registrar(CO)

// True Copy //

/12/2023

Sub Assistant Registrar(CS)



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TO

1. The Principal Subordinate Judge,
Kumbakonam.
2. The District Munsif ,
Kumbakonam

Copy to:

1. The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai
2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court, Madurai



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CMP(MD). No.8468 of 2023

ORDER DATED : 23/11/2023

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ORDER

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CMP(MD)Nos.8468 to 8470 of 2023
in
SA(MD) Nos.504 2011
Giving direction and etc.
as stated within.

MK/12.12.2023 4P 6C

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