



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

Tuesday, the Twenty Seventh day of June Two Thousand and Twenty  
Three

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PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CMP(MD) Nos.5881 & 5883 of 2019  
IN  
SA No.1338 of 2001

- 1 PARVATHI AMMAL (DIED)
- 2 SANKARALINGAM @ CHELLAPPA
- 3 LAKSHMANAN
- 4 NACHIYAR AMMAL (DIED)
- 5 CHELLAMMAL
- 6 KRISHNAN
- 7 SANKARAMMAL
- 8 REVATHIAMMAL
- 9 GANAPATHI AMMAL

...PETITIONERS/APPELLANTS  
in ALL THE PETITIONS

Vs

- 1 P.NAMBI KONAR
- 2 P.ARUMUGA KONAR,
- 3 P.SUDALAI KONAR
- 4 AMMA PONNU (DIED)
- 5 KANDHASAMY THEVAR (DIED)

...RESPONDENTS 1 TO 5/  
RESPONDENTS 1 TO 5  
in ALL THE PETITIONS

- 6 KUPPAMMAL
- 7 VELLAITHAI
- 8 MUTHAMMAL



9 ARUMUGAM

10 VEERA PANDI

11 MALAIAMMAL

12 THANGAMMAL

13 PARVATHIAMMAL

14 GOMATHIAMMAL

... PROPOSED RESPONDENTS 6 TO 14/  
RESPONDENTS 4 TO 14  
IN THE SECOND APPEAL  
in CMP(MD)Nos.5881 & 5882 OF 2019

... PROPOSED RESPONDENTS 6 TO 14  
in CMP(MD)No.5883 of 2019

**Prayer in CMP(MD) . 5881/ 2019 :**

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 4625 days in setting the abatement order.

**Prayer in CMP(MD) . 5882/ 2019 :**

Pleased to set aside the abatement as against the 5th respondent/6th defendant.

**Prayer in CMP(MD) . 5883/ 2019 :**

Pleased to permit the petitioners herein to bring on record respondents 6 to 14 herein as the legal representatives of the deceased 5th respondent/6th defendant in the suit.

**Prayer IN SA No.1338 of 2001:**

To prefer the above memorandum of grounds of second appeal under section 100 of Civil Procedure Code against the judgment and decree in A.S.1/96 on the file of Principal Subordinate Judge, Thirunelveli dated 31.01.2001 confirming the judgment and decree in O.S.No.1054/88 on the file of Additional District Munsif, Tirunelveli dated 04.12.95.

**COMMON 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.T.SELVAN, Advocate for the petitioner in all the cases, the Court made the following order:-

The order passed by this Court on 14.06.2023 has not been complied with. Hence, C.M.P.(MD)No.5881/2019 is dismissed.



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Consequently, C.M.P. (MD) Nos. 5882 and 5883/2019 are also dismissed.  
sd/-

27/06/2023

/ TRUE COPY /

/07/2023

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

ssb

TO

1. THE PRINCIPAL SUBORDINATE JUDGE, THIRUNELVELI

2. THE ADDITIONAL DISTRICT MUNSIF, TIRUNELVELI.

COPY TO

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

ORDER  
IN  
CMP (MD) Nos. 5881  
& 5883 of 2019  
IN  
SA No. 1338 of 2001  
Date : 27/06/2023

SS/BUC/03/07/2023/3P/4C