



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

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

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.VIJAYAKUMAR

C.M.P (MD) Nos.4928,4929,4931 & 4933 of 2023
in
Rev.Aplc (MD) SR.No.20253 of 2015

1 V.ALAGARSAMY

2 V.BALARAMAN

3 V.JELENDRA

... PETITIONERS/PETITIONERS/PETITIONERS
in ALL THE PETITIONS

Vs

1 G.GOPALSAMY (DIED)

... 1ST RESPONDENT
in ALL THE PETITIONS

2 S.SUKUMAR

3 VANAJA

4 MINOR.AJITHA

5 MINOR.AJITHKUMAR

(MINOR RESPONDENTS 4 AND 5 ARE
REPRESENTED BY THEIR MOTHER AND 3RD
RESPONDENT HEREIN)

6 SAROJA

7 MINOR.PACKIALAKSHMI

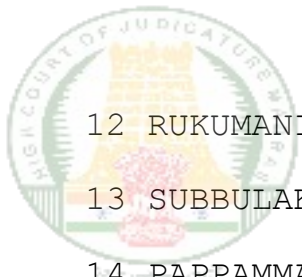
8 MINOR.NAGENDRAN

(MINOR RESPONDENTS 7 AND 8 ARE
REPRESENTED BY THEIR MOTHER AND 6TH
RESPONDENT HEREIN)

9 S.SELVI

10 R.G.PERUMAL (DIED)

... 10TH RESPONDENT
in ALL THE PETITIONS



12 RUKUMANI

13 SUBBULAKSHMI

14 PAPPAMMAL

15 VAIRAMANI

16 V.POUNRAJ

... RESPONDENTS 2 TO 9 & 11 TO 16/
RESPONDENTS 2 TO 9 & 11 TO 16/
RESPONDENTS 2 TO 9 & 11 TO 16
in ALL THE PETITIONS

17 PARANIYAMMAL

18 SUDHARSAN

19 SRIDHARAN

20 NAGARAJAN

... RESPONDENTS 17 TO 20/
PROPOSED RESPONDENTS 17 TO 20/
PROPOSED RESPONDENTS 17 TO 20
in ALL THE PETITIONS

21 BACKIYAMMAL

... PROPOSED RESPONDENT 21/
RESPONDENT 21
in CMP(MD)No.4933 OF 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 744 days in filing petition to set aside to abatement caused due to death of 1st respondent and in above M.P.(MD).No.1 of 2015 in Review SR.No.20253/2015.

Prayer in CMP(MD) . 4929/ 2023 :

To set aside of the abatement caused due to the death of the 1st respondent in M.P.(MD).No.1 of 2015 in Rev.SR.(MD).No.20253 of 2015.

Prayer in CMP(MD) . 4931/ 2023 :

To bring the Lrs of the 1st respondent shown as proposed respondent 17 to 20 as respondents 17 to 20 in M.P.(MD).No.1 of 2015 in Review SR.20253 of 2015.

Prayer in CMP(MD) . 4933/ 2023 :

To bring the Lrs of the 10th respondent shown as proposed respondent 21 as respondents 21 in M.P.(MD).No.1 of 2015 in Review SR.20253 of 2015.

PRAYER in REV.APLC(MD)SR.No.20253 of 2015:

Pleased to review the order passed in C.M.A.(MD)No.1637 of 2010 dated 23.12.2014.

Prayer in CMA(MD) . 1637/ 2010 :

To set aside the Judgement and Decree dated 24.09.2010 passed in A.S.No.25/2006 on the file of the Additional District and Sessions Judge, Fast Track Court, Periyakulam, remanding back the



judgement and decree dated 20.01.2004 passed in O.S.No.152,1997 on the file of Subordinate Court, Periyakulam and allow the Civil Miscellaneous Appeal.

ORDER : These petitions coming up for orders on this day, upon perusing the petitions and the affidavit filed in support thereof and upon hearing the arguments of M/S.I.VELPRADEEP, Advocate for the petitioner in all the petitions and of Mr.R.R.KANNAN, Advocate on behalf of the Respondents 2 to 16 in all the petitions, the Court made the following order:-

C.M.P(MD)Nos.4928,4929,4931 & 4933 of 2023 have been filed to condone the delay, set aside the abatement and to implead the legal heirs of the respondents 1 and 10.

2. The learned counsel appearing for the respondents in the review petition pointed out that the names of the legal heirs who are said to be impleaded are not correct and he has furnished the correct names.

3. Therefore, the learned counsel appearing for the review petitioner seeks permission of this Court to withdraw the civil miscellaneous petitions with liberty to file fresh application with the correct names of the legal heirs.

4. With the above said liberty, all the civil miscellaneous petitions stand dismissed as withdrawn.

sd/-

07/06/2023

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/06/2023

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

gbg

TO

1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
FAST TRACK COURT,
PERIYAKULAM.

2 THE SUBORDINATE JUDGE,
PERIYAKULAM.

ORDER

IN

C.M.P(MD)Nos.4928, 4929, 4931
& 4933 of 2023

in

Rev.Aplc(MD)SR.No.20253 of 2015

Date :07/06/2023