



CMP(MD) No.8735 of 2021

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

Monday, the Seventeenth day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

CMP(MD) No.8735, 8736 & 8738 of 2021

in

SA(MD)No.476 of 2008

GURUSAMY,

... PETITIONER/ APPELLANT
IN ALL CMPS

Vs

1 S.K.PARAMASIVAM, (DIED),

2 KRISHNAMMAL

3 PANJAMMAL

4 P. PARAMASIVAM

(RESPONDENT 2 TO 4 DISMISSED VIDE ORDER

DATED ON 25.03.2009)

...RESPONDENTS/RESPONDENTS
IN CMP(MD)NO.8735 OF 2021

(RESPONDENT 2 TO 4 DISMISSED VIDE ORDER

DATED ON 25.02.2009)

...RESPONDENTS/RESPONDENTS
IN CMP(MD)NOS.8736 & 8738 OF 2021

5 CHINNAMMAL



CMP(MD) No.8735 of 2021

W.S.K.P. KARUPIAH
S/O.S.K.PARAMASIVAM

7 S.K.P. KARUPIAH
S/O.S.K.PARAMASIVAM

8 KANDAVADIVU

9 UDAYA SURIYAN

10 THENMOZHI

...5 TO 10 LRS OF THE 1ST RESPONDENTS/
PROPOSED RESPONDENTS 5 TO 10
IN ALL CMPS

Prayer in CMP(MD). 8735/ 2021 :

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 5131 days in filing the petition to set aside the abatement caused due to the death of 1st respondent and thus render justice.

Prayer in CMP(MD). 8736/ 2021 :

To set aside the abatement caused by the death of 1st respondent and thus render justice.



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Prayer in CMP(MD). 8738/ 2021 :

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To implead and bring on record the persons mentioned hereunder as the legal representatives of the deceased 1st respondent as the appellants 5 to 10 to the appeal and thus render justice.

PRAYER in SA(MD)No.476 of 2008:

To set aside the Judgment and Decree of the learned Subordinate Judge, Srivilliputhur in A.S.No.40 of 2001 confirming the Judgment and Decree of the learned Additional District Munsif, Srivilliputhur in O.S.No.361 of 1995 dated 13/07/2001 with cost throughout.

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 not appeared for the Petitioner either in person or through by an advocate for the petitioner in all CMPs, the court made the following order:-

No representation for the petitioner.

It is seen that the conditional order dated 21.06.2023 made in CMP(MD) No.8735/2021 has not been complied with. Hence, the petition in CMP(MD)

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



CMP(MD) No.8735 of 2021

No.8735/2021 is dismissed. Consequently CMP(MD)Nos.8736 and 8738/2021 are
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dismissed.

sd/-

17/07/2023

/ TRUE COPY /

/07/2023

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

skn

TO

- 1 THE SUBORDINATE JUDGE,
SRIVILLIPUTHUR.
- 2 THE ADDITIONAL DISTRICT MUNSIF
SRIVILLIPUTHUR.

ORDER

IN

CMP(MD) No.8735, 8736 & 8738 of 2021
in

SA(MD)No.476 of 2008

Date :17/07/2023

RK /BUC(19/07/2023) 4P /3 C

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