



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

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

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CMP(MD) No.2039 of 2016
IN
SA(MD) No.989 of 2001

1 JEGANNATHAN (DIED)

2 RAMASAMI RAJA (DIED)

3 R.LINGAMMAL

4 R.THANAM

5 R.RUKMANI

6 R.RADHAKRISHNAN

7 R.RAJILA

... PETITIONERS/PROPOSED PARTIES

Vs

1 SUNDARAMBAL (DIED)

2 N.VENKATRAMAN

... RESPONDENTS/RESPONDENTS

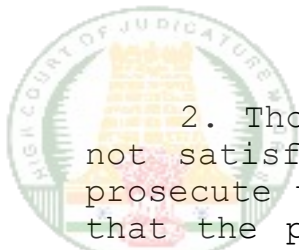
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to pass an order condoning the delay 3061 days in filing the application to set aside the abatement caused due to the death of the second petitioner / second appellant, Ramasamy Raja.

PRAYER IN SA.NO.989/2001 :

To prefer this Memorandum of Grounds of Second Appeal against the Judgment and Decree daed 30.04.2001 and made in A.S.No.218/1998 on the file of Additional District Court (Chief Judicial Magistrate), Sivagangai, reversing the judgment and decree dated 26.06.1998 and made in O.S.No.110 of 1997 on the file of Subordinate Judge, Sivagangai.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.T.R.JEYAPALAM, Advocate for the petitioner, the court made the following order:-

The petition is filed to condone the delay of 3061 days in filing the petition to set aside the abatement caused due to the death of the second appellant in the Appeal.



2. Though, the reasons stated in the accompanying affidavit are not satisfactory, in order to give opportunity to the parties to prosecute the appeal on merits, the petition is allowed on condition that the petitioners deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) before the Registry to the credit of C.M.P.(MD) No.2039 of 2016 in S.A.No.989 of 2001 on or before 14.07.2023, failing which, the petition shall stand automatically dismissed without any further reference to Court.

3. List the matter on 17.07.2023 'for reporting compliance'.
sd/-

20/06/2023

/ TRUE COPY /

/06/2023

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

mbi

TO

1 THE ADDITIONAL DISTRICT JUDGE (CHIEF JUDICIAL MAGISTRATE),
SIVAGANGAI.

2 THE SUBORDINATE JUDGE, SIVAGANGAI.

COPY TO

1 THE REGISTRAR (JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

2 THE SUB ASSISTANT REGISTRAR, A.E.SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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

4 THE SECTION OFFICER, ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CMP(MD) No.2039 of 2016

IN

SA(MD) No.989 of 2001

Date :20/06/2023

RS/CG/SAR-(28.06.2023) 2P 7C