



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

Thursday, the Twenty Second day of June Two Thousand and Twenty
Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CMP(MD) No.741 of 2016
IN
SA(MD) No.44 of 2015

RAMA DOSS ... Petitioner / Appellant

Vs

1 THE STATE OF TAMIL NADU
THROUGH ITS DISTRICT COLLECTOR,
KOKKIRAKULAM,
TIRUNELVELI-9.

2 TAHSILDAR OF NANGUNERI
NANGUNERI,
TIRUNELVELI DISTRICT.

3 SUBRAMANIA NADAR (DIED)

4 SELVARAJ
5 VELLADURAI
6 PONNUDURAI
7 SUBRAMANIA NADAR
8 VADIVEL (DIED)
9 CHITHIRAI
10 PETCHIAMMAL
11 PERUMAL
12 LAKSHMI
13 GANESAN
14 MEENA

... Respondents 1 to 14 /
Respondents 1 to 14

15 CHENDUR KANI
16 VELDURAI
17 CHELLADURAI

... Respondents 15 to 17 /
Proposed Respondents 15 to 17

18 PATHRAKALI
19 SINGARI
20 CHITHRA

... Respondents 18 to 20 /
Proposed Respondents 18 to 20



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 2487 days in filing the above application to set aside the abatement caused due to the death of the deceased 8th respondent viz., Vadivel in the above Appeal.

Prayer in SA(MD) No.44 of 2015:

To set aside the udgement and decree dated 14.11.2007 made in A.S.No.62 of 2007 on the file of Subordinate Judge, Vallioor confirming the judgment and decree dated 26.06.2006 made in O.S.No.23 of 1997 on the file of the Court of the District Court, Nanguneri and allow the appeal with cost throughout.

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. M.P.SENTHIL, Advocate for the petitioner, the court made the following order:-

This petition has been filed to condone the delay of 2487 days in filing the petition to set aside the abatement caused due to the death of the deceased 8th respondent, by name, Vadivel in the above said second appeal.

2.Though the reasons stated in the accompanying affidavit filed in support of this petition are not satisfied, in order to give an opportunity to the parties to prosecute the appeal, the delay of 2487 days is condoned on condition that the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) towards costs before the Registry to the credit of CMP(MD)No.741 of 2016 on or before 21.07.2023 and on deposit of the same, the petition shall stand allowed, failing which, the petition shall stand dismissed automatically without further reference to this Court.

3.List the matter on 01.08.2023 for filing compliance report.

sd/-
22/06/2023

/ TRUE COPY /

/07/2023

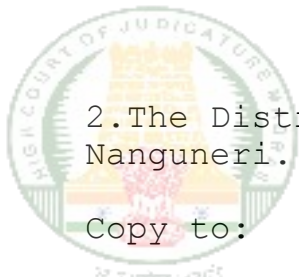
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SKN

To

1.The Subordinate Judge,
Vallioor.

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



2.The District Munsif,
Nanguneri.

Copy to:

1.The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.

2.The Sub Assistant Registrar,
AE Section,
Madurai Bench of Madras High Court, Madurai.

3.The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court, Madurai.

4.The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CMP(MD) No.741 of 2016
IN
SA(MD) No.44 of 2015
Date :22/06/2023

ED/VS/SAR- (04/07/2023) 3P 7C