



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

Friday, the Thirtieth day of June Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CMP (MD) Nos.11627 TO 11629 of 2018
IN
SA No.113 of 2003

1 K.PADMAVATHI (DIED)

2 PREMAVATHI

3 MADHAVAN

4 RAJAN

5 GANESAN

6 JAYALAKSHMI

... Petitioners / Proposed Appellants /
Lrs of Deceased 1st Appellant
In all the Petitions

Vs

1 NAGANATHAN (DIED)

2 THULASIRAMAN

3 NAGESWARAN

... Respondents / Respondents
In all the Petitions

4 K.N.DEIVAPRAKASH

5 K.N.RAJESWARI

6 K.N.DEVI

... Proposed Respondents 4 to 6 /
LRS of Deceased 1st Respondent
In all the Petitions

Prayer in CMP(MD) . 11627/ 2018 :

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 406 days in filing the petition to set aside the abatement caused due to the death of the first respondent in the above second appeal.

**Prayer in CMP(MD) . 11628/ 2018 :**

Pleaded to set aside the abatement caused due to the death of the first respondent in the above second appeal and thus render justice.

Prayer in CMP(MD) . 11629/ 2018 :

Pleaded to bring on record the respondents 4 to 6 herein as the legal representatives of the deceased first respondent and rank them as respondents 4 to 6 in the above second appeal and thus render justice.

Prayer in SA. 113/ 2003 :

To prefer this memorandum grounds for second appeal against the decree and judgement dated 19.10.2001 in AS No.65/2000 passed by the Subordinate Judge, Paramakudi reversing the decree and judgement dated 01.06.2000 in O.S No.27/1997 passed by the District Munsif Court, Paramakudi.

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

Order of this Court dated 16.06.2023 has not been complied with CMP(MD) No.11627 of 2018 is dismissed. Consequently, CMP(MD). Nos.11628 & 11629/2018 are dismissed.

sd/-

30/06/2023

/ TRUE COPY /

/07/2023

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

MBI

TO

1.THE SUBORDINATE JUDGE,
PARAMAKUDI.

2.THE DISTRICT MUNSIF,
PARAMAKUDI.

COPY TO:

1.THE SUB ASSISTANT REGISTRAR,
AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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

WEB COPY

ORDER

IN

CMP (MD) Nos.11627 TO 11629 of 2018

IN SA No.113 of 2003

Date :30/06/2023

SA/VS/SAR. /05.07.2023/3P/5C