



CMP(MD) No.6101 of 2017

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

Friday, the Fourteenth day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CMP(MD) Nos.6101, 6102 and 6103 of 2017

IN

SA(MD) No.164 of 2005

1 RAGHAVAN(DIED)  
2. ARUMUGAM(DIED)  
3. MUTHURAMAN(DIED)  
4 SUBBIAH  
5 VIJAYAN

... Petitioners / Appellants  
in all petitions

6 CHINNAMMAL  
7 SAMPATH  
8 S. PACKIYALAKSHMI

... LR's of Deceased 1<sup>st</sup> Appellant /  
Proposed Appellants 6 to 8  
in all petitions

9 SOUNDARAM  
10 M. KARTHICK  
11 MANJULA  
12 A. SELVI  
13 R. MANIMEGALAI

... LR's of Deceased 3<sup>rd</sup> Appellant /  
Proposed Appellants 9 to 13  
in all petitions

Vs

SUBBIAH(DIED)  
1. PEYAMMAL

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



CMP(MD) No.6101 of 2017

2 PONNALAGU  
3 JAYALAKSHMI  
4 MUNIYANDI  
5 SARADHA  
6 NEHRU  
7 CAUVERY  
8 PAVALAKODI

... Respondents / Respondents  
in all petitions

Prayer in CMP(MD). 6101/ 2017 :

To condone the delay of 1066 days in seeking to set aside the abatement caused by the death of Muthuraman, the 3rd Appellant in the above second Appeal.

Prayer in CMP(MD). 6102/ 2017 :

To set aside the abatement caused by the death of Muthuraman, the 3rd Appellant in the above SA(MD) 164/2005.

Prayer in CMP(MD). 6103/ 2017 :

To bring on record, proposed Appellants 9 to 13 herein who is the Legal Representative of deceased Muthuraman , the 3rd Appellant in the above second appeal and rank him as Appellants 9 to 13 in the above second appeal.

PRAYER in SA(MD) No.164 of 2005:

To prefer this memorandum of second Appeal from and against the judgment and decree in A.S.No.20/2003 on learned Subordinate Judge's as Court Sivagangai dated 24.11.2004 reversing the well considered decree and Judgment in



CMP(MD) No.6101 of 2017

O.S.No.545/87 on the file of Principal District Munsif's Court, Sivagangai dated 26.12.2002.

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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.MOHANASUNDARAM, Advocate for the petitioners in all petitions, the court made the following order:-

This Court by order dated 21.06.2023 has allowed the condone delay petitions in CMP(MD) No.6101 of 2017 with a cost of Rs.10,000/-. Conditional order passed by this Court dated 21.06.2023 has not been complied with, hence, this application in C.M.P(MD) No.6101 of 2017 is dismissed.

2.In view of the dismissal of the condone delay application, other consequential applications in C.M.P(MD) Nos.6102 & 6103 of 2017 are also dismissed.

sd/-  
14/07/2023

/ TRUE COPY /

/07/2023  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

AM



CMP(MD) No.6101 of 2017

TO செய்து அளித்தல்

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- 1 THE SUBORDINATE JUDGE,  
SIVAGANGAI.
- 2 THE PRINCIPAL DISTRICT MUNSIF,  
SIVAGANGAI.

ORDER  
IN  
CMP(MD) Nos.6101, 6102 and 6103 of 2017  
IN  
SA(MD) No.164 of 2005  
Date :14/07/2023

ED/dd/SAR- (21/07/2023) 4P / 3C

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