



S.A(MD)No.758 of 2013

WEB COPY

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

Thursday, the Twenty Fourth day of August Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

C.M.P.(MD)Nos.8946 to 8948 of 2017

in

S.A(MD)No.758 of 2013

KARUPPIAH @ RAJENDRAN

... PETITIONER/ APPELLANT
IN ALL THE PETITIONS

Vs

SEVUGAPERUMAL (DIED)

1 ALAGUSUNDRAM,

2 MURUGANANDAM

3 DHAKSHINAMOORTHY

4 MEIATHAL

(EXONERATED)

(AMENDED AS PER THE ORDER IN IA.265/2011

DATED 16.09.2011)

5 KUNJARAM

6 M.GANDHI

7 GOWSALAI (DIED)

8 MADHAVAN

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



9 PARVATHI
WEB COPY



S.A(MD)No.758 of 2013

... RESPONDENTS 1 TO 9/RESPONDENTS 1 TO 9
IN CMP(MD).8946/2017

... RESPONDENTS/RESPONDENTS
IN CMP(MD).8947 & 8948/2017

10 PALANIYANDI,

... PROPOSED RESPONDENTS 10 TO 12/
LEGAL REPRESENTATIVE RESPONDENT NO.7
IN CMP(MD).8946/2017

11 SHANTHI

12 JEYANTHI

... RESPONDENTS 10-12/PROPOSED PARTY/
LEGAL REPRESENTATIVE OF RESPONDENT 7
IN CMP(MD).8946/2017

... PROPOSED PARTY/LEGAL REPRESENTATIVE OF RESPONDENT 7
IN CMP(MD).8947 & 8948/2017

13 MUTHU VADUGU

... RESPONDENT 13/PROPOSED PARTY/
LEGAL REPRESENTATIVE OF RESPONDENT 4
IN CMP(MD).8946/2017

... PROPOSED PARTY/LEGAL REPRESENTATIVE OF RESPONDENT 4
IN CMP(MD).8947 & 8948/2017

PRAYER IN CMP(MD).8946/2017:

Civil Miscellaneous 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 2830 days in filing the petition to set aside the abatement caused due to the death of 4th Respondent in the above said appeal SA(MD) No.758 of 2013

Prayer in CMP(MD). 8947/ 2017 :

To set aside the abatement caused due to the death of 4th Respondent in the above said appeal in SA(MD) No.758 of 2013 and thus render justice.



S.A(MD)No.758 of 2013

Prayer in CMP(MD). 8948/ 2017 :

To bring on record the 13th Respondent as the legal heir of the deceased 4th Respondent in the above said Appeal and rank him as Respondent No.13 in the above said Appeal in SA(MD) No.758 of 2013 and thus render justice.

PRAYER IN SA(MD).758/2013:

Pleased to prefer this Memorandum of Grounds of Second Appeal against the Judgment and Decree passed in A.S.No.129/2010 dated 14.08.2013 on the file the Sub Judge, Sivagangai confirming the decree and Judgment in O.S.No.149 of 2004 dated 29.09.2010 on the file of the District Munsif Cum Judicial Magistrate, Tirupathur.

ORDER : These petitions 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.N.MURUGESAN, Advocate for the petitioner in all the Petitions, the court made the following order:-

These petitions are filed to condone the delay, to set aside the abatement and to bring on record the legal representatives of the deceased fourth respondent in the above second appeal.

2.The learned counsel appearing for the petitioner/appellant would submit that the deceased fourth respondent has been exonerated in the first appeal and hence, there is no necessity to implead her legal heirs after her demise.

3.Recording the said submission, these petitions are dismissed.

4.Post the matter on 11.09.2023.

sd/-
24/08/2023

/ TRUE COPY /

/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



S.A(MD)No.758 of 2013

SKN

TO

1 THE SUBORDINATE JUDGE,
SIVAGANGAI.

2 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
TIRUPATHUR.

ORDER IN
C.M.P.(MD)Nos.8946 to 8948 of 2017
in
S.A(MD)No.758 of 2013
Date :24/08/2023

SA/VR/SAR. /04.09.2023/4P/3C

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