



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

C.M.P(MD)No.1974 to 1976 of 2004
in
S.A.No.2041 of 2002

VELU THEVAR(SINCE DIED)

...APPELLANT

LEGAL REPRESENTATIVES OF THE DECEASED APPELLANT

1.KANTHAIAH

2.RAJAMMAL

3 JAYACHITRA

4 JAGANATHAN

... PETITIONER/
PROPOSED APPELLANTS 2 TO 6

Vs

MALAIYAPPAN

... RESPONDENT/RESPONDENT

Prayer in CMP(MD). 1974/ 2004 :

To condone the delay of 484 days in filing a petition to set aside the abatement of the appeal.

Prayer in CMP(MD). 1975/ 2004 :

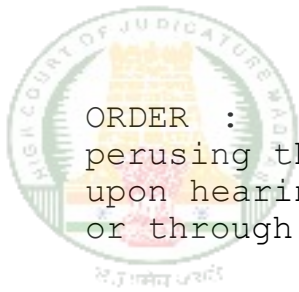
To order to cause the petitioners 2 to 6 as the legal representatives of the deceased appellant Velu Thevar to be made as appellants 2 to 6 in the above appeal.

Prayer in CMP(MD). 1976/ 2004 :

To order to set aside the abatement of the appeal caused due to the death of the appellant.

PRAYER IN S.A.No.2041 of 2002:

To prefer this memorandum of Second Appeal against the Judgment and Decree passed in A.S.No.154/2000 on the file of I Additional District Judge cum Chief Judicial Magistrate Court, Tirunelveli dated 26.04.2001 and reversing the Judgment and Decree in OS.No.589/97 dated 30.03.2000 on the file of Principal District Munsif Court, Tirunelveli.



CMP(MD)



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ORDER : This petition coming up for orders on this day, on perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of not appeared for petitioners in person or through by an Advocate, the court made the following order:-

No representation for the petitioner. Order of this Court dated 16.06.2023 has not been complied with. Therefore, this petition in CMP(MD) No.1974 of 2004 is dismissed for non-compliance. Consequently, CMP(MD) Nos.1975 and 1976 of 2004 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 I ADDITIONAL DISTRICT JUDGE CUM CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI

2.THE PRINCIPAL DISTRICT MUNSIF, TIRUNELVELI.

ORDER
IN
C.M.P(MD)No.1974 to 1976 of 2004
in
S.A.No.2041 of 2002
Date :30/06/2023

ED/ /SAR- (10/07/2023) 2P 3C