



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

Wednesday, the Seventh day of June Two Thousand and Twenty Three
PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CMP No.18807 of 2003
and
SA NO. 1800 of 1996

1 PITCHAIMUTHU,

2 KALIAMMAL

3 ARUMUGHAM

... PETITIONERS/APPELLANTS
Vs

1 R.SIVAGNANA MUDHALIAR (DIED) ...1st RESPONDENT/1st RESPONDENT

2 PAPPATHI AMMAL

3 M.SUBRAMANIAMRESPONDENTS 2 & 3/ RESPONDENTS 2 & 3

(*) 4 S.VIJAYAVALLI (DIED)

5 S.ELANGO VAN

6 S.ANBARASAN

7 S.MATHIVANAN

8 S.RAJENDRAN

9 S.PARTHIBAN ...PROPOSED PARTIES

(*)Memo dated 23.01.2023 filed on 23.01.2023 in USR No. 2707 is recorded as R4 died and R5 to R9, who are already on record are recorded as Lrs of the deceased R4 vide court order dated 24.01.2023 made in CMP(MD)No. 18807 TO 18809/2003 IN SA No. 1800/1996 by SSJ

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 822 days in filing the petition to set aside the abatement caused in the above appeal due to the death of 1st Respondent.

PRAYER IN SA NO. 1800 of 1996:

Pleased to set aside the decree and judgment in AS No. 51/1992 dated 30.09.1994 on the file of the Sub Ordinate Judges Court, Kumbakonam confirming the decree and judgment of the District Munsif's Court, Valingaiman at Kumbakonam passed in O.S No. 612/1988 dated 02.11.1992.



CMPN

03



ORDER : This petition coming up for orders on this case, on perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.V.K.VIJAYARAGAVAN, Advocate for the petitioners, the court made the following order:-

Though the reasons stated in the affidavit filed in support of the Petition are not satisfied, however in order to give an opportunity to the parties, the delay of 822 days is condoned on condition that the Petitioners shall pay a sum of Rs.25,000/- (Rupees Twenty five Thousand only) towards costs before the Registry to the credit of C.M.P.No.18807 of 2003 on or before 20.06.2023 and on deposit of the same, the petition shall stand allowed, failing which, the Petition shall stand automatically dismissed without further reference to this Court.

2.List the matter on 21.06.2023 for filing compliance report.

sd/-
07/06/2023

/ TRUE COPY /

/06/2023

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

AM
TO

1 THE SUBORDINATE JUDGE
KUMBAKONAM.

2 THE DISTRICT MUNSIF
VALINGAIMAN AT KUMBAKONAM.

COPY TO

1 THE REGISTRAR (JUDICIAL)
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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

3 THE SECTION OFFICER,
ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP No.18807 of 2003
and
SA No. 1800 of 1996
Date :07/06/2023

PKP/MMS/SAR- /09.06.2023/ 2P/6C

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