



WEB COPY



C.M.P.No.9857 of 2017

in

S.A.No.1138 of 2014

V. LAKSHMINARAYANAN, J.

This application is to accept the cause title in the appeal. The undisputed facts are that the petitioner herein had instituted a suit for declaration of title and for permanent injunction. The said suit was dismissed by the learned District Munsif, Jayamkondam and was confirmed in appeal by the Sub Court, Ariyalur.

2. The Second Appeal was presented with condonation of delay of 739 days. This Criminal Miscellaneous Petition was ordered by this Court on 14.11.2014. Thereafter, the appeal came to be numbered. After the numbering of the application, the learned counsel for the appellant came to know that the 1st respondent/Subramanian is no more. Hence, this petition.

3. When I took up this application for hearing, I found that the private notice had been served on respondents 6 to 9 on 14.03.2024. But they have not entered appearance in the appeal or to oppose the application.



4. Ms.Anusri Sangavi representing the appellant states that as the Miscellaneous Petition in M.P.No.2 of 2014 in S.A.No.SR 80606 of 2011 has already been condoned, the same may be treated as an application to condone the delay in filing the application to accept the cause title.

5. I am convinced with the submissions made by the learned counsel. Accordingly, this Civil Miscellaneous Petition is ordered. The learned counsel will take notice in the appeal on the newly impleaded respondents 6 to 9.

6. Registry is directed to carry out necessary amendments.

28.03.2024
(1/2)

mkn2



WEB COPY



V. LAKSHMINARAYANAN, J.

mkn2

C.M.P.No.9857 of 2017

in

S.A.No.1138 of 2014

28.03.2024
(1/2)