



CMP(MD) No.12383, 12385 and 12387 of 2022

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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) No.12383, 12385 and 12387 of 2022
and
SA No.1464 of 1994

1 SHANMUGHA THEVAR (DIED)
2 MUNIYASAMY THEVAR (DIED)
3 M.KANNAN

... 1st Appellant in all petitions
... 2nd Appellant in all petitions
... Petitioner / 3rd Appellant
in all petitions

Vs

1 SUDALAIMUTHU NADAR (DIED)

2 P.ANNAPPOO (DIED)

... Respondents 1 & 2 in all petitions

3 V.PUSHPAM

4 S.VAZHAVETTI

5 S.BALRAJ

6 S.PERUMAL NADAR

7 S.LAKSHMI

8 P.PONNUTHAI

... Respondents 3 to 8 /
Respondents 3 to 8
in all petitions

9 P.MUTHUSAMY

10 P.SRIRAM

11 P.VIJAYA ANAND

12 P.JEYAKULAN

13 L.SELVI

14 M.NALAVATHI

15 P.REVATHI

... Respondents 9 to 15 /
Proposed Respondents 9 to 15
in all petitions



CMP(MD) No.12383, 12385 and 12387 of 2022

Prayer in CMP(MD). 12383/ 2022 :

To condone the delay of 2209 days in seeking to set aside the abatement caused due to the death of Annappoo in the Second Appeal.

Prayer in CMP(MD). 12385/ 2022 :

To set aside the abatement caused due to the death of Annppoo respondent in the Second Appeal.

Prayer in CMP(MD). 12387/ 2022 :

To bring the respondents 9 to 15 herein viz. 9.P.MUTHUSAMY, S/o.Pandi Nadar, Pandiyan Nagar, T.Mariyur Post, Kadalaadi Taluk, Ramanathapuram District. 10.P.SRIRAM, S/o.Pandi Nadar, Teacher, Kshatraya Nadar Higher Secondary School, Perunalli Post, Kamudhi Taluk. 11 P.VIJAYA ANAND, S/o.Pandi Nadar, Pandian Nagar, T.Mariyur Post, Kadalaadi Taluk, Ramanathapuram District. 12.P.JEYAKULAN, S/o.Pandi Nadar, Pandiyan Nagar, T.Mariyur Post, Kadalaadi Taluk, Ramanathapuram District. 13.L.SELVI, W/o.Lakshmanan, Pandi Nagar, T.Mariyur Post, Kadalaadi Taluk, Ramanathapuram District. 14.M.NALAVATHI, W/o.Mariappan, Nadar Street, Sayalkudi PO, Kadalaadi Taluk, Ramanathapuram District. 15.P.REVATHI, S/o.Pandi Nadar, Pandiyan Nagar, T.Mariyur Post, Kadalaadi Taluk, Ramanathapuram District, on record as the legal representative of the Annappoo and record them in the Second appeal as respondents 9 to 15 in the above second appeal.

Prayer in SA No.1464 of 1994:

To prefer this memorandum of second appeal against the judgment and decree dated 25.03.1994 made in A.S.No.130 of 1992 on the file of Sub Court at Ramanathapuram, reversing the judgment and decree dated 27.11.1991 made in O.S.No.184 of 1990 on the file of the District Munsif Court, Paramakudi.

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.A.SIVAJI, Advocate for the petitioner, the court made the following order:-

This Court by order dated 27.06.2023 has allowed the condone delay petitions in C.M.P(MD)No.12383 of 2022 with a cost of Rs.22,000/-. Conditional order passed

by this Court dated 27.06.2023 has not been complied with, hence, this application in



CMP(MD) No.12383, 12385 and 12387 of 2022

C.M.P(MD)No.12383 of 2022 is dismissed.

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2. In view of the dismissal of the condone delay application, other consequential applications in C.M.P(MD)Nos.12385 & 12387 of 2022 are also dismissed.

sd/-
14/07/2023

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

AM

To

1.The Sub Judge,
Ramanathapuram.

2.The District Munsif,
Paramakudi.

+1 CC to M/s.A.SIVAJI, Advocate (SR-10739[I] dated 14/07/2023)

ORDER
IN
CMP(MD) No.12383, 12385 and 12387 of 2022
and
SA No.1464 of 1994
Date :14/07/2023

ED/DD/SAR- (27/07/2023) 3P / 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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