



C.M.P.(MD).No.2495 of 2020 in S.A.(MD).No.SR18092 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

**C.M.P.(MD).No.2495 of 2020 in
S.A.(MD).No.SR18092 of 2019
and S.A.(MD).No.SR18092 of 2019**

S.Pitchaiah (Died)

1.Subbammal

2.Mariappan

3.Subramanian

4.Muthulakshmi

5.Kumar

... Petitioners/Appellants

Vs.

1.R.Pitchaiah

2.P.Madasamy

... Respondents/Respondents

PRAYER in C.M.P.(MD).No.2495 of 2020: Civil Miscellaneous

Petition is filed under 5 of the Limitation Act, to condone the delay of 38 days in filing the Second Appeal.

PRAYER in S.A.(MD).No.SR18092 of 2019: Second Appeal is filed under Section 100 of the C.P.C. to call for the records and set aside the Judgment and Decree passed by the Additional Sub Court, Tenkasi, dated 15.11.2018 made in A.S.No.35 of 2013, reversing the Judgment and Decree passed by the Principal District Munsif, Tenkasi, in O.S.No.



C.M.P.(MD).No.2495 of 2020 in S.A.(MD).No.SR18092 of 2019

476 of 2008 dated 06.08.2013.

WEB COPY

For Petitioner/Appellant : No Appearance

For Respondent/Respondent : Mr.M.P.Senthil for R2

ORDER

R1 is reported to be dead. No steps have been taken so far. There was no representation for the petitioner on 19.06.2024. Hence, the matter was ordered to be listed today under the caption for dismissal. Even today (i.e.,18.07.2024), there is no representation for the petitioner. In view of the same, this petition stands dismissed for default. Consequently, connected second appeal is also dismissed at the SR stage itself.

18.07.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
TM

To

- 1.The Additional Sub Judge, Tenkasi.
- 2.The Principal District Munsif, Tenkasi.
- 3.The Section Officer,
E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.

2/3



WEB COPY



C.M.P.(MD).No.2495 of 2020 in S.A.(MD).No.SR18092 of 2019

G.ILANGO VAN,J.

TM

C.M.P.(MD).No.2495 of 2020 in
S.A.(MD).No.SR18092 of 2019

18.07.2024