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C.M.P.(MD).Nos.9247 to 9249 of 2019 in S.A.(MD).No.sr1180 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

C.M.P.(MD).Nos.9247 to 9249 of 2019 in
S.A.(MD).No.sr1180 of 2013
and S.A.(MD).No.sr1180 of 2013

G.Antony Gruse

... Petitioner/Appellant

Vs.

1.Jeyapandi (Died)

... Sole Respondent in appeal

2.Annammal

3.Roach Martin John

4.Ronald

5.Jeyasingh

... Respondent Nos.2 to 5/

Proposed Respondents No.2 to 5.

PRAYER in C.M.P.(MD).No.9247 of 2019: Civil Miscellaneous

Petition is filed under Section 5 of the Limitation Act, to condone the delay of 1397 days occurred in filing the petition to set aside the abatement caused due to the death of sole respondent.

PRAYER in C.M.P.(MD).No.9248 of 2019: Civil Miscellaneous

Petition is filed under Order 29 Rule 9(2) of C.P.C, to set aside the abatement caused due to the death of sole respondent.



C.M.P.(MD).Nos.9247 to 9249 of 2019 in S.A.(MD).No.sr1180 of 2013

WEB COURT

PRAYER in C.M.P.(MD).No.9248 of 2019: Civil Miscellaneous Petition is filed under Order 29 Rule 4 of C.P.C, to bring on record the respondents 2 to 5 herein, who are the legal representatives of deceased sole respondent and rank them as respondents 2 to 5 in the appeal.

PRAYER in S.A.(MD).No.sr1180 of 2013: Second Appeal is filed under Section 100 of Civil Procedure Code, to set aside the Judgment and Decree, of the learned Subordinate Judge, Thoothukudi passed in A.S.No.47 of 2009 dated 16.03.2011 by reversing the Judgment and decree of the learned Principal District Munsif, Thoothukudi in O.S.No. 273 of 2008, dated 02.02.2009.

For Petitioner/Appellant : No Appearance

For Respondents/Respondents: No Appearance

ORDER

When the matter was taken up for hearing on 19.06.2024, it was represented that the petitioner reported to be dead. Hence, the matter was ordered to be posted today for filing steps if any. But, so far as no steps



C.M.P.(MD).Nos.9247 to 9249 of 2019 in S.A.(MD).No.sr1180 of 2013

have been filed in respect of the petitioner. In view of the same, these civil miscellaneous petitions are dismissed for default. Consequently,

Second Appeal is also rejected at the SR stage itself. No costs.

29.07.2024

Index : Yes / No
Internet : Yes / No
TM

To

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



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C.M.P.(MD).Nos.9247 to 9249 of 2019 in S.A.(MD).No.sr1180 of 2013

G.ILANGO VAN,J.

TM

C.M.P.(MD).Nos.9247 to 9249 of 2019 in
S.A.(MD).No.sr1180 of 2013

29.07.2024