



CMP(MD) No.4929 of 2018

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

Tuesday, the Thirtieth day of April Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

C.M.P(MD)Nos.4929 to 4931 and 4934, 4935, 4936 of 2018
in
S.A(MD)No.SR.36920 of 2016

1 THE STATE OF TAMIL NADU
REP. BY ITS DISTRICT COLLECTOR,
KANYAKUMARI DISTRICT
AT NAGERCOIL
KANYAKUMARI DISTRICT, AGASTHEESWARAM TALUK,
NAGERCOIL VILLAGE, NAGERCOIL.

2 THE TAHSILDAR,
THOVALAI TALUK,
BHOOTHAPANDI VILLAGE
BHOOTHAPANDI,
KANYAKUMARI DISTRICT

... PETITIONERS/ APPELLANTS
IN ALL THE PETITIONS

Vs

1 ANTHONYMUTHU,

2 GANAPRAKASAM,

3 NESAM

4 MICHAEL AMMAL (DIED)



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5 MARY
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6 ROSELIN,

7 ROSAMMAL,

8 CHELLAMMAL (DIED)

9 GIRIJA

10 MARIYA GLORY

11 BABY JOHNSON

12 BABY RAJAMONY

13 AYSHA BANU

14 MARSALIN MARIAMMAL

... RESPONDENTS/RESPONDENTS
IN ALL THE PETITIONS

15 ARASI SAHAYATHANGAM

16 SAHAYA AMUTHA

17 SAHAYA JEYA

18 SAHAYA ANITHA

... 15 TO 18 RESPONDENTS/PROPOSED
RESPONDENTS 15 TO 18/LR'S OF
DECEASED 4th RESPONDENT
IN ALL THE PETITIONS

19 RAJ,

20 RANI



21 SUDHA,
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... 19 TO 21 RESPONDENTS/PROPOSED
RESPONDENTS 19 TO 21/LR'S OF
DECEASED 8th RESPONDENT
IN ALL THE PETITIONS

Prayer in CMP(MD). 4929/ 2018 :

Civil Miscellaneous Petitions 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 503 days in filing the petition to set aside abatement caused due to the death of 8th respondent in S.A.S.R(MD) No.36920 of 2016 and thus render justice.

Prayer in CMP(MD). 4930/ 2018 :

To set aside the abatement caused due to the death of 8th respondent in S.A.S.R (MD) No.36920 of 2016 and thus render justice.

Prayer in CMP(MD). 4931/ 2018 :

Pleased to bring on record the respondents 19 to 21 as the legal representatives of the 8th respondent and rank them as respondents 19 to 21 in S.A.S.R(MD) No.36920 of 2016 and thus render justice.

Prayer in CMP(MD). 4934/ 2018 :

Pleased to condone the delay of 2119 days in filing the petition to set aside abatement caused due to the death of 4th respondent in S.A.S.R(MD) No.36920 of 2016 and thus render justice.

Prayer in CMP(MD). 4935/ 2018 :

To set aside the abatement caused due to the death of 4th respondent in S.A.S.R (MD) No.36920 of 2016 and thus render justice.

Prayer in CMP(MD). 4936/ 2018 :

Pleased to bring on record the respondents 15 to 18 as the legal representatives of the 4th respondent and rank them as respondents 15 to 18 in S.A.S.R(MD) No.36920 of 2016 and thus render justice.

PRAYER IN SA(MD)SR.No.36920 of 2016:

Pleased to set aside the decree and judgment made in A.S.No.85 of 2010 passed by the First Additional Subordinate Court, Nagercoil dated 30.09.2011 allowing in

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part the judgment and decree made in O.S.No.118 of 2003 dated 12.03.2010 passed by the Second Additional District Munsif Court, Nagercoil and allow this appeal.

ORDER : This Civil Miscellaneous Petitions coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.D.S.NEDUNCHEZIAN, Government Advocate for the petitioners in all the petitions, the court made the following order:-

Since these petitions have been wrongly filed and in view of the pendency of C.M.P.(MD)Nos.3239 to 3241 of 2019, these Civil Miscellaneous Petitions are dismissed as unnecessary.

sd/-
30/04/2024

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/06/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN
TO
1 THE FIRST ADDITIONAL SUBORDINATE JUDGE,
NAGERCOIL

2 THE SECOND ADDITIONAL DISTRICT MUNSIF,
NAGERCOIL



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ORDER

IN

C.M.P(MD)Nos.4929 to 4931 and 4934, 4935, 4936 of 2018
in

S.A(MD)No.SR.36920 of 2016

Date :30/04/2024

SA/JGB/SAR. /11.06.2024/5P/3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.