



S.A(MD)No.20 of 2013

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

Friday, the Twenty Second day of November Two Thousand and Twenty Four

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

C.M.P(MD)Nos.14763 to 14765 of 2023

in

S.A(MD)No.20 of 2013

BASKARA PILLAI (DIED)

INDRA BAI

... PETITIONER/PROPOSED 2ND APPELLANT
in C.M.P(MD)Nos.14763 to 14765 of 2023

Vs

NEELAKANDA PILLAI (DIED)

RAJAKUMAR

... RESPONDENT/RESPONDENT
in C.M.P(MD)Nos.14763 to 14765 of 2023

Prayer in CMP(MD)No.14763/2023

Civil Miscellaneous Petition 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 404 days in filing the petition to set aside abatement caused by the death of appellant/deceased Baskara Pillai in SA(MD). No.20 of 2013 and thus render justice.

Prayer in CMP(MD). 14764/ 2023 :

To set aside the abatement caused by the death of appellant/deceased Baskara Pillai in SA(MD). No.20 of 2013 and thus render justice.



S.A(MD)No.20 of 2013

Prayer in CMP(MD). 14765/ 2023 :

To pass an order to bring on record the petitioner/proposed 2nd appellants as legal heir of the appellant/deceased Baskara Pillai died on 5.4.2022 and rank her as 2nd appellant in SA(MD). No.20 of 2013 and thus render justice.

Prayer in SA(MD). 20/ 2013 :

Second appeal against the judgment and decree dated 12/09/2011 in A.S.No.42 of 2010 on the file of Sub-Court,Padmanabapuram reversing the judgment and decree dated 23/02./2010 in O.S.no.65 of 2008 on the file of the Principal District Munsif Court,Eraniel

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 MR.R.MURUGAN, Advocate for the petitioner in all mps and of MR.S.KUMAR, Advocate for the 2nd Respondent in all mps the court made the following order:-

Pending Second appeal the sole appellant died. In order to implead these Civil Miscellaneous petitions were filed. The sole appellant had only one son who is pre-deceased.

2. Since Class II legal heirs are impleaded in some other petitions, these Civil Miscellaneous Petitions are dismissed as infructuous.

sd/-
22/11/2024

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/11/2024
Sub-Assistant Registrar (CS-I / II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

ksa



S.A(MD)No.20 of 2013

TO
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- 1.THE SUBORDINATE JUDGE,PADMANABAPURAM
2. THE PRINCIPAL DISTRICT MUNSIF,,ERANIEL

ORDER
IN
C.M.P(MD)Nos.14763 to 14765 of 2023
in
S.A(MD)No.20 of 2013
Date :22/11/2024

RK/VR(27/11/2024) 3P / 3C
Madurai Bench of Madras High Court is issuing certified copies in this format from
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