



WEB COPY



C.M.P.(MD).Nos.11149, 11150, 11156, 11160, 11165 and 11167 of 2023
in
S.A.No.1122 of 1999

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.M.P.(MD).Nos.11149, 11150, 11156, 11160, 11165 and 11167 of 2023
in
S.A.No.1122 of 1999

C.M.P.(MD).Nos.11149, 11150, 11156,
11160, 11165 and 11167 of 2023

1.Rengan

2.Veeran

... Petitioners/Appellants

Vs.

1.Palani (died)

2.Subban @ Subbiah (died)

3.Mallika

4.Govindaraj

5.Mangalam

6.Marikannu

7.Murugan

8.Sivakumar

9.Pappathi

10.Vijayalakshmi

... Respondents in all CMPs.

11.Valli, 12.Rajendran, 13.Ganesan, 14.Chinnapottu ... Respondents in CMPs.
11160 and 11165 of 2023

Prayer in C.M.P.(MD).No.11149 of 2023: The Civil Miscellaneous Petition is
filed under Section 5 of the Limitation Act, to condone the delay of 2272 days in



WEB COPY



C.M.P.(MD).Nos.11149, 11150, 11156, 11160, 11165 and 11167 of 2023
in
S.A.No.1122 of 1999

filing the petition for setting aside the abatement as against the first respondent.

Prayer in C.M.P.(MD).No.11150 of 2023: The Civil Miscellaneous Petition is filed under Order 22 Rule 9 (2) and Section 151 of C.P.C., to set aside the abatement caused by the death of first respondent.

Prayer in C.M.P.(MD).No.11156 of 2023: The Civil Miscellaneous Petition is filed under Order 22 Rule 4 of C.P.C., to bring on record the proposed respondents 3 to 10 as legal representatives of the deceased first respondent.

Prayer in C.M.P.(MD).No.11160 of 2023: The Civil Miscellaneous Petition is filed under Section 5 of the Limitation Act, to condone the delay of 637 days in filing the petition for setting aside the abatement as against the second respondent.

Prayer in C.M.P.(MD).No.11165 of 2023: The Civil Miscellaneous Petition is filed under Order 22 Rule 9 and Section 151 of C.P.C., to set aside the abatement caused by the death of second respondent.

Prayer in C.M.P.(MD).No.11167 of 2023: The Civil Miscellaneous Petition is filed under Order 22 Rule 4 of C.P.C., to bring on record the proposed respondents 11 to 14 as legal representatives of the deceased second respondent in S.A.No.1122 of 1999.



WEB COPY



*C.M.P.(MD).Nos.11149, 11150, 11156, 11160, 11165 and 11167 of 2023
in
S.A.No.1122 of 1999*

Prayer in S.A.No.1122 of 1999: The Civil Miscellaneous Appeal is filed under Section 100 of C.P.C., against the judgment and decree dated 16.06.1998 in A.S.No.60 of 1996 on the file of the Court of Additional District Judge, Pudukottai reversing that in O.S.No.896 of 1993 on the file of Additional District Munsif Court, Pudukottai.

S.A.No.1122 of 1999

1.Rengan
2.Veeran

... Appellants

Vs.

1.Palani
2.Subban

... Respondents

For Appellants : No appearance

For Respondents : No appearance

J U D G M E N T

When the matters were taken up for hearing on 02.04.2024, the learned counsel appearing for the petitioners/appellants reported no instruction. He also made an endorsement to that effect in the Court bundle. Recording the same, the Registry was directed to remove the name of the counsel and list the matters

3/5



C.M.P.(MD).Nos.11149, 11150, 11156, 11160, 11165 and 11167 of 2023
in
S.A.No.1122 of 1999

WEB COPY

under the caption for dismissal by printing the name of the appellants.

2. Today, the matters are listed under the caption for dismissal by printing the name of the petitioners/appellants. There is no representation for the petitioners/appellants. Hence, the Second Appeal and all connected Miscellaneous Petitions are dismissed for default. No costs.

03.04.2024

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

akv

To

- 1.The Additional District Judge,
Pudukottai.
- 2.The Additional District Munsif Court,
Pudukottai.
- 3.The Record Keeper,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.

4/5



WEB COPY



C.M.P.(MD).Nos.11149, 11150, 11156, 11160, 11165 and 11167 of 2023
in
S.A.No.1122 of 1999

S.SOUNTHAR,J.

akv

C.M.P.(MD).Nos.11149, 11150, 11156, 11160, 11165 and 11167 of 2023
in
S.A.No.1122 of 1999

03.04.2024