



*C.M.P.(MD)No.11759, 11760 & 11762 of 2025
in S.A(MD)No.197 of 2015*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATE : 15.12.2025

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.M.P.(MD)Nos.11759, 11760 and 11762 of 2025

in

S.A(MD)No.197 of 2015

1.Manivel

2.Manikandan

3.Minor.Manimakudan

(Minor rep.by his brother/1st petitioner)

: Petitioners
(in all petitions)

Vs.

1.Thangaraj

2.Ramasamy (died)

3.Rajendran

4.Nagaraj

: Respondents
(in all petitions)

PRAYER in C.M.P(MD)No. 11759 of 2025: Civil Miscellaneous Petition filed under Section 5 Limitation Act to condone the delay of 55 days in filing the petition for set aside the abatement caused on the death of the second respondent Ramasamy in SA(MD)No.197 of 2015.

PRAYER in C.M.P(MD)No.11760 of 2025 : Civil Miscellaneous Petition filed under 22 Rule 9(2) of C.P.C., to set aside the abatement caused due to the death of the second respondent Ramasamy in SA(MD)No.197 of 2015.



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PRAYER in C.M.P(MD)No.11762 of 2025 : Civil Miscellaneous Petition filed under Order 22 Rule 4 of C.P.C., to bring on record the proposed respondents 3 & 4 herein, legal representatives of the deceased second respondent and rank them as respondents 3 and 4 in SA(MD)No.197 of 2015.

PRAYER in S.A (MD)No. 197 of 2015 : Second Appeal filed under Section 100 of C.P.C., against the judgment and decree, dated 07.01.2010 passed in A.S.No.14 of 2008 on the file of the learned Additional District Judge, Fast Track Court, Dindigul, confirming the judgment and decree, dated 15.11.2007 passed in O.S.No.156 of 2001 on the file of the learned Additional Subordinate Judge, Dindigul.

For Petitioners : Mr.M.P.Senthil,

For Respondents : Mr.M.R.Sreenivasan, for R1.

: No Appearance, for R2.

ORDER

The above petitions have been filed (i) to condone the delay of 55 days in filing the petition to set aside the abatement caused due to the death of the second respondent (ii) to set aside the abatement caused due to the death of the second respondent and (iii) to bring on record the petitioners 3 and 4 legal representatives of the deceased second respondent and rank them as respondents 3 and 4 in the above second appeal.



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2.When the matter is taken up for hearing today (ie., 15.12.2025), the learned counsel appearing for the petitioners would submit that he may be permitted to withdraw these petitions and he has also made an endorsement to that effect.

3.Permission is granted. These Civil Miscellaneous Petitions are dismissed as withdrawn.

15.12.2025

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

To

- 1.The Additional District Judge,
Fast Track Court, Dindigul.
- 2.The Additional Subordinate Judge,
Dindigul.
- 3.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

das

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in
S.A(MD)No.197 of 2015

Dated: 15.12.2025