



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

Friday, the Thirtieth day of June Two Thousand and Twenty Three  
PRESENT

**The Hon`ble Mr.Justice P.VELMURUGAN**

CMP(MD) Nos.4898, 4900, 4902 of 2023

in

SA No. 1127 of 2004

S.PONNAMMAL (DIED ON 27.06.2012),

... SOLE APPELLANT  
IN ALL CMP'S

1.S.KUMARASAMY,

2 S.SURIYANARAYANAN,

3 V.GOMATHI,

4 T.JEYANAYAGAM,

5 S.SOMASUNDARAM,

... PETITIONERS/1 TO 5 PROPOSED APPELLANTS  
/ LR OF DECEASED SOLE APPELLANT  
IN ALL CMP'S

Vs

GOPINATH,

... RESPONDENT/RESPONDENT  
IN ALL CMP'S

PRAYER IN CMP(MD).4898/2023 :

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 3001 days in filing this petition to set aside the abatement cause due to the death of the sole appellant Late. S. Ponnammal in the Second Appeal in S.A. No. 1127 of 2004.

Prayer in CMP(MD). 4900/ 2023 :

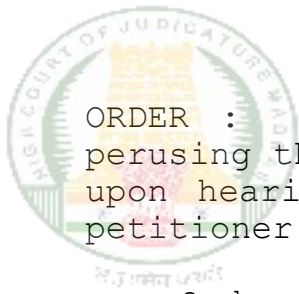
To SET ASIDE THE ABATEMENT caused due to the death of the sole appellant Late. S. Ponnammal in the Second Appeal in S.A.No. 1127 of 2004.

Prayer in CMP(MD). 4902/ 2023 :

To permit the 5th Petitioner herein to Bring on Record the proposed petitioners 1 to 5 herein as legal representatives of the deceased sole appellant Late. S. Ponnammal and rank them as 2 to 6 appellants in the main Second Appeal in S.A. No. 1127 of 2004.

PRAYER IN SA No. 1127 OF 2004:

To prefer this Memorandum of Grounds of Second Appeal against the judgment and decree passed in A.S.No. 43 of 2002 dated 24.10.2002 on the file of the Principal Sub- Court, Tirunelveli as confirmed in O.S.No. 450 of 1995 dated 18.10.2001 on the file of the Principal District Munsif Court, Tirunelveli.



CMP(MD)



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ORDER : This petition coming up for orders on this case, on perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.D.NALLATHAMBI, Advocate for the petitioner in all CMP's, the court made the following order:-

Order of this court dated 13.06.2023 has not been complied with. CMP(MD)No.4898 of 2023 is dismissed. Consequently, CMP(MD) No.4898 of 2023 is dismissed. Consequently, CMP(MD)Nos.4900 & 4902/2023 are dismissed.

sd/-

30/06/2023

/ TRUE COPY /

/07/2023

Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

mbi

TO

1 THE PRINCIPAL SUBORDINATE JUDGE, TIRUNELVELI.

2 THE II ADDITIONAL DISTRICT MUNSIF, TIRUNELVELI.

ORDER

IN

CMP(MD) Nos.4898, 4900, 4902 of 2023  
in

SA No. 1127 of 2004

Date :30/06/2023

RS/SSS/SAR-(04.07.2023) 2P 3C