

CMP(MD)No.1  
in CMA(MD)No.1275 of 2024

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

WEB COPY

DATED: 29-04-2026

CORAM

**THE HONOURABLE MR JUSTICE K.MURALI SHANKAR**

CMP(MD) No.11224 of 2025

in

CMA(MD) No.1275 of 2024

The Branch Manager,  
United India Insurance Company Ltd.,  
KAR Towers, 2<sup>nd</sup> Floor,  
Behind Municipal Corporation Office,  
R.S.Road, Dindigul District-624710.

**Petitioner/  
Appellant**

Vs

1.Paramasivam

**1<sup>st</sup> Respondent/  
1<sup>st</sup> Respondent**

2.Palaniappan (Died)

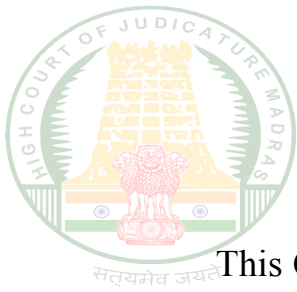
**Deceased  
2<sup>nd</sup> Respondent**

3.Janaki

4.Kumaran

5.Shenbagavalli

**Respondents 3 to 5/  
Proposed Respondents 3 to 5**



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This Civil Miscellaneous Petition filed under Section 5 of Limitation Act praying to condone the delay of 751 days in filing the petition to set aside the abatement caused due to the death of the second respondent Palaniappan in CMA(MD)No.1275 of 2024, on the file of this Court.

**For Petitioner:** Mr.I.Robert Chandra Kumar, Advocate

**For Respondents:** Mr.J.Senthil Kumaraiah for R1, R4 & R5

No appearance for R3

### **ORDER**

The above petition has been filed seeking orders to condone the delay of 751 days in filing a petition for setting aside the abatement caused due to the death of the second respondent in the above appeal.

2. No representation for the third respondent.

3. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents 1, 4 and 5.

4. The learned counsel appearing for the respondents 1, 4 and 5 would submit that they are not having any objections to condone the delay.

5. Considering the facts and circumstances and also the reasons assigned, this



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Court is inclined to condone the delay but on terms. Hence, this petition will be allowed on payment of cost of **Rs.750/- (Rupees Seven Hundred and Fifty only)** by the petitioner to the Madurai Bench of Madras High Court Advocates Welfare Fund [Indian Bank High Court Branch, Madurai, Current Account No.7087208431, IFSC IDIB000H040], on or before **01.06.2026**, failing which, this petition shall stand dismissed automatically.

6. Post the matter on 02.06.2026 'for reporting compliance'.

**29-04-2026**  
(2/2)

CSM

**To**

1.The Secretary,  
(Advocates Welfare Fund),  
Bar Council of Tamil Nadu and Puducherry,  
High Court Campus, Chennai 104.