

**SECTION XII**  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

**PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 26776 OF 2008**

Subramaniam ...Petitioner  
Versus

Masanammal (Dead) & Ors. ...Respondents

**OFFICE REPORT**

The matter above mentioned was listed before the Hon'ble Court on 3<sup>rd</sup> November, 2008, when the Hon'ble Court was pleased to pass the following order:-

**"Delay condoned  
Issue notice."**

It is submitted that Ms. V. Mohana, Advocate has on 13<sup>th</sup> August, 2014 filed an application for substitution to bring on record the legal representatives of deceased delay in filing substitution application and setting aside of abatement. It is barred by time by 1099 days. The application is defective that the Counsel for the petitioner has not filed original death certificate for deceased respondent No.1.

AND thereafter, the matter above mentioned was lastly listed before the Hon'ble Judge-in-Chambers on 1<sup>st</sup> February, 2017, when His Lordship was pleased to pass the following order:-

**"It is submitted that the legal  
representatives of deceased respondent  
Nos. 4, 6 and 8 are already on record.**

**Delay in filing application for  
substitution is condoned.**

**Abatement is set aside.**

**Application for substitution to bring on  
record the legal representatives of  
deceased respondent Nos. 4, 6 and 8 is  
allowed.**

**List the application for substitution to bring on record the legal representatives of deceased respondent No. 1 on 6<sup>th</sup> February, 2017."**

It is submitted that Counsel for the Petitioner has not filed the original death certificate of respondent No. 1.

Thereafter, the unregistered application was placed before the Hon'ble Chamber on 6<sup>th</sup> February, 2017, when His Lordship was pleased to pass the following order:-

**"It is submitted that an application was filed for issuance of death certificate on 15.12.2014 which was not entertained by the Coimbatore Corporation on the ground that the complete death details were not given.**

**Delay in filing substitution application is condoned.**

**Abatement is set aside.**

**Issue notice to legal representatives of deceased respondent No.1."**

It is submitted that Counsel for the petitioner has not mentioned address of legal heirs of deceased respondent No. 1 despite Registry's request. Hence, show cause notice in respect of legal representatives of deceased respondent No. 1 could not be issued.

It is lastly submitted that there are eight respondents. Respondent NO. 7 is represented through Mr. Vipin Nair, Advocate. Courier receipt in respect of respondent Nos. 2 to 3 and 5 have been received but not entered their appearance so far.

The matter is listed before the Ld. Registrar's Court with this office report.

Dated this, the 26th day of April, 2017.

ASSISTANT REGISTRAR

Copy to : Mr. Vijay Kumar, Advocate  
M/s. Temple Law Firm, Advocates

ASSISTANT REGISTRAR

