

ITEM NO.28

COURT NO.14

SECTION XII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (C) No.6438/2021

[Arising out of impugned final judgment and order dated 09-01-2018 in SA No. 1428/2002 passed by the High Court of Judicature at Madras]

MUTHAIYA PILLAI

Petitioner(s)

VERSUS

RAMALINGAM PILLAI (DEAD)

Respondent(s)

(IA No. 40648/2021 - APPLICATION FOR SUBSTITUTION
IA No. 149100/2024 - APPLICATION UNDER ORDER V RULE 20 CPC FOR EFFECTING SERVICE THROUGH PUBLICATION
IA No. 40653/2021 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.
IA No. 40649/2021 - EXEMPTION FROM FILING O.T.)

Date : 11-12-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE R. MAHADEVAN

For Petitioner(s) Mr. Arvind Gupta, AOR
Mr. Anil Kumar Sahu, Adv.
Mr. Kanav Bhardwaj, Adv.
Ms. Mansi Sharma, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

1. Heard the learned counsel for the petitioner.
2. Application for condonation of delay in filing substitution and application for substitution are allowed.

3. It appears that the parties to this litigation are brothers.
4. Mr. Arvind Gupta, the learned counsel appearing on behalf of the petitioner pointed out that during the pendency of this petition the original defendant passed away and his legal heirs are now on record. The legal heirs are not being represented by any one.
5. Since the parties are related, we are of the view that they should sit together and try to arrive at some amicable settlement.
6. Parties shall appear before the Supreme Court Mediation Centre on 20.12.2024 at 11.30 A.M.
7. The Registry shall inform the legal heirs of this order and also the date on which they are supposed to appear before the Supreme Court Mediation Centre for the purpose of settlement.
8. List the matter after Mediation report is received.

(CHANDRESH)
COURT MASTER (SH)

(POOJA SHARMA)
COURT MASTER (NSH)