

C.M.P.Nos.78 and 79 of 2013

in

A.S.No.785 of 1992

P.R.SHIVAKUMAR, J.

Arumugam, who has been arrayed as the second appellant is reported dead. The present petitions are filed by the remaining appellants and the legal representatives of Arumugam. C.M.P.No.78 of 2013 is one for setting aside the abatement caused by the death of Arumugam. M.P.No.79 of 2013 is one for impleading the petitioners 6 to 8 as appellants in the Appeal.

2. Now, the learned counsel for the petitioners submits that Yamuna, the 8th petitioner, died after the filing of the petitions and that since she was sought to be impleaded as one of the legal representatives of Arumugam, there is no necessity to implead her legal representatives as the interest of Arumugam will be fully represented by the petitioners 6 and 7. The above said representation is recorded. The death of Yamuna is also recorded.

3. The learned counsel for the contesting respondents submits that the contesting respondents do not have objection for allowing these applications.

P.R.SHIVAKUMAR, J.

mra

4. Recording the above said submissions, both the petitions are allowed. The abatement caused by the death of Arumugam, who figured as the second appellant, is set aside. The petitioners 6 and 7 are impleaded and arrayed as appellants 6 and 7 in their capacity as legal representatives of deceased Arumugam.

5. The orders will be issued after making a note against Yamuna recording her death in the cause title of the petitions.

6. The appeal shall be listed after two weeks.

mra

14.08.2015

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