

CMP.No.59 of 2016 in S.A.No.1994 of 1999**S.NAGAMUTHU, J.**

This petition has been filed by the legal representatives of the sole appellant in the Second Appeal seeking to condone the delay of 4197 days in filing the petition to set aside the abatement caused due to the death of the deceased sole appellant, namely, Palaniappa Gounder who died on 04.02.2004.

2. The learned Counsel for the respondents would submit that the respondents have got no objection for allowing the same.

3. In my considered view also, on a technical ground of delay, the valuable right of the parties cannot be deprived of. Hence, I am inclined to allow this petition.

4. In the result, the petition is allowed and the delay is condoned.

11.01.2016

tsi

**S.NAGAMUTHU, J.**

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