

C.M.P.Nos.18673 to 18676 of 2017
in
S.A.No.8 of 2001

C.V.KARTHIKEYAN, J.,

C.M.P.Nos.18673 to 18675 of 2017 have been filed consequent to the death of first appellant and to condone the delay of 2180 days and filing the application to set aside the abatement caused due to the death of the first appellant and to bring on record the legal representatives of the deceased first appellant as respondents 4 to 6.

2. The reason advanced to implead the legal representatives of the deceased first appellant as respondents is that they were not prepared to join in the appeal. The two sons of the respondent namely Mahimaidoss and Baskar who had shown as 4th and 5th respondent could not be served and the 6th respondent Susairaj had refused to receive the notice. It is evident that they do not want to participate in the appeal proceedings. Therefore, they are set exparte in the application. These three applications are consequently allowed.

3. C.M.P.No.18676 of 2017 had been filed since the second appellant had died. However one of his son is the third appellant. The other legal representatives are sought to be impleaded the respondents 7 and 8.

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4. In view of the fact that the appeal is of the year 2001, notice had been served and names is also printed in the cause list of the 7th respondent. The said respondents are set exparte and this application is allowed.

05.12.2018

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