

CMP.Nos.6931 & 6932 of 1999 in
S.A.No.360 of 1997

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G.K.ILANTHIRAIYAN, J.

It is seen that that the private notices sent to respondents 1, 4, 6 and 7 returned as "addressees died" and the notice to R2 returned as "refused", and also the notices sent to R3, R5 and R8 are not yet returned. For R2, it declared as "service sufficient" and called absent and also set exparte. Now only the eighth respondent is alone alive and notice also served and also the name is printed in the cause list. Today, no one appeared on behalf of the eight respondent by person or through counsel.

2.Considering the above facts and circumstances, the petition in CMP.No.6931 of 1999 to set aside the abatement caused due to the death of the sole respondent is allowed. Further, the petition in CMP.No.6932 of 1999 to bring the legal heirs of the sole respondent on record is allowed in respect of the eighth respondent alone. Consequently, the Registry is directed to carry out the necessary amendments in the cause title in the Second Appeal.

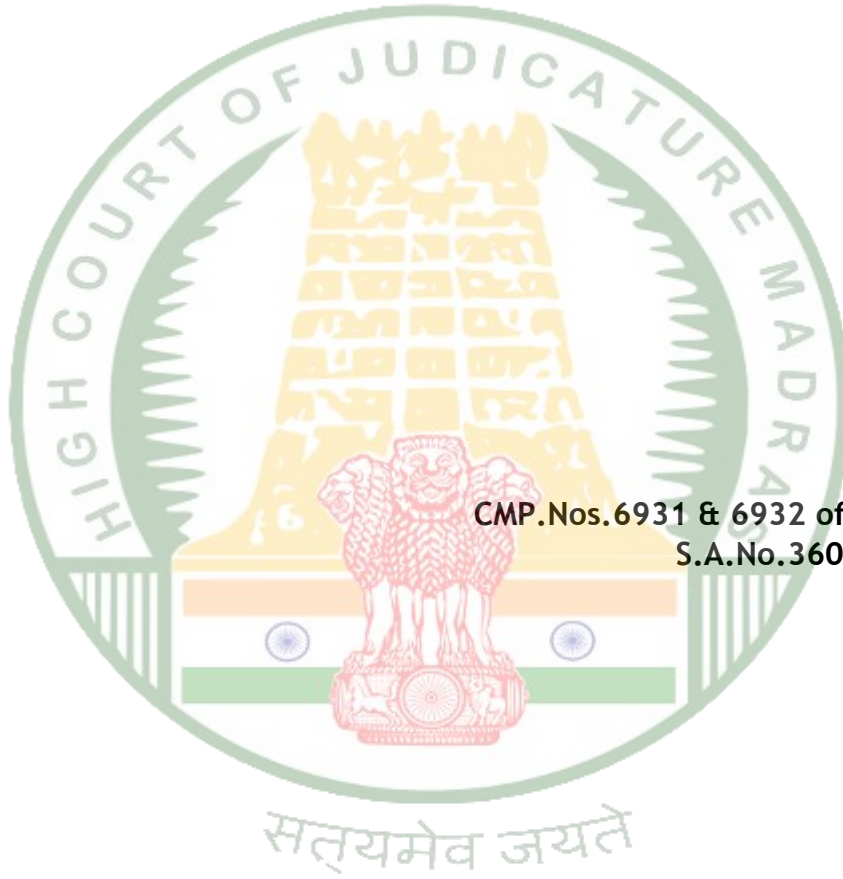
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