

CMP.Nos.19601, 19602 and 19603 of 2016
in
S.A.No.1649 of 1996

RMT.TEEKAA RAMAN,J.,

These applications have been filed consequent to the death of the first appellant/Ayyasamy Chettiar to set aside the abatement caused due to his death, to condone the delay of 1857 days in filing an application to bring on record the legal representatives of the first appellant in the place of appellants 2 to 4 and to implead the legal heirs of the deceased.

2.The learned counsel for the appellants in the second appeal has stated that the first appellant died leaving behind his wife, one son and three daughters. The third appellant/Lalitha and the fourth appellant/Pathmini are not interested to contest the case. Therefore, he seeks to bring legal heirs of the deceased first appellant as proposed respondents.

3.Learned counsel appearing for the respondents 1 & 2 have no objection that to allow these applications.

4.Heard both sides. The factum of the death of the Ayyasamy Chettiar and their legal representatives is not in dispute. Considering the submissions made on either side and being satisfied with the reasons stated in the affidavit filed in support of these petitions, the delay is

condoned on condition the petitioner shall pay costs of Rs.300/- (Rupees three Hundred only) to the State Legal Services Authority, High Court, Madras, within a period of two weeks from today, failing which, these petitions shall stand dismissed.

5.It is reported that the respondents 1 and 2 are dead R3 only alive. For taking steps, post the matter after two weeks.

klt

12.06.2019



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