

CMP.Nos.2770 to 2773 of 2016
in
S.A.No.1826 of 2000
and
CMP.Nos.2774 to 2781 of 2016
in
S.A.No.1827 of 2000

RMT.TEEKAA RAMAN,J.,

In S.A.No.1826 of 2000:

(i) CMP.No.2770 of 2016 has been filed to appoint Smt.Vasanthakumari as the guardian of the minor Sangamehswari/proposed third appellant. (ii) CMP.No.2771 of 2016 has been filed to condone the delay of 582 days in filing an application to set aside the abatement caused due to the death of the sole appellant/Saraswathy. (iii) CMP.No.2772 of 2016 has been filed to set aside the abatement caused due to the death of the deceased/sole appellant viz.,Saraswathy. (iv) CMP.No.2773 of 2016, has been filed to bring on record the legal heirs of the sole appellant/Saraswathy as appellants 2 & 3 as well as the Class I legal heirs of the deceased Saraswathy as Respondents 5 to 13 in the appeal and notice had been served on all of them. Subject to the proof of the Will, the proposed Appellants 2 & 3 are permitted to prosecute the appeal. The above CMP's are allowed.

2. In S.A.No.1827 of 2000:

(i) CMP.No.2774 of 2016 has been filed to appoint Smt.Vasanthakumari as the guardian of the minor

Sangamehswari/proposed third appellant. (ii) CMP.No.2775 of 2016 has been filed to condone the delay of 582 days in filing an application to set aside the abatement caused due to the death of the sole appellant/Saraswathy. (iii) CMP.No.2776 of 2016 has been filed to set aside the abatement caused due to the death of the deceased/sole appellant viz.,Saraswathy. (iv) CMP.No.2777 of 2016, has been filed to bring on record the legal heirs of the sole appellant/Saraswathy as appellants 2 & 3 and the respondents 3 to 11 being the Class – I legal representatives and they are permitted to calling rights as the appellants 2 & 3, subject to the proof of Will, the proposed Appellants 2 & 3 are permitted to prosecute the appeal. The above CMP's are allowed.

3. In S.A.No.1827 of 2000:

(i) CMP.No.2778 of 2016 has been filed to bring on record of the first respondent as the legal representative of the deceased second respondent/Ambikavathy. (ii) CMP.No.2779 of 2016 has been filed to condone the delay of 585 days in filing an application to set aside the abatement caused due to the death of the second respondent/Ambikavathy. (iii) CMP.No.2780 of 2016 has been filed to set aside the abatement caused due to the death of the deceased/second respondent viz.,Ambikavathy. (iv) CMP.No.2781 of 2016, has been filed to bring on record the legal heirs of the second respondent/Ambikavathy as respondents 12 & 14 in the appeal.

4. Heard both sides. The factum of the death of the sole appellant / Saraswathy and second respondent/Ambikavathy in these appeals, as also their legal representatives are not in dispute.

5. Considering the submissions made on behalf of the learned counsel for the parties, and being satisfied with the reasons stated in the affidavits filed in support of these applications and in the interest of justice, all these applications are allowed as prayed for.

6. Registry is directed to carry out the necessary amendments in the cause title, within a period of two weeks.

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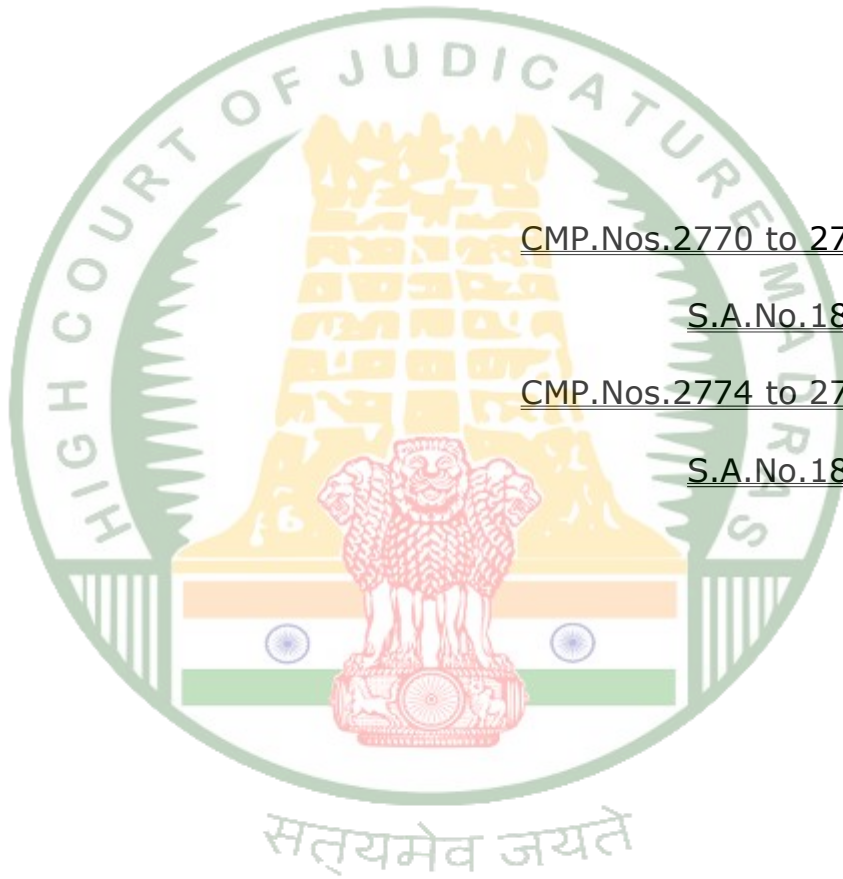
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