

C.M.P.Nos:5948 to 5950 of 2018 IN S.A.No.1588 of 2000

C.V.KARTHIKEYAN, J.

These applications have been filed consequent to the death of the sole respondent Rahmadhunnissa. These applications have been filed seeking to condone the delay of 1010 days in filing application ; to set aside abatement caused due to the death of the sole respondent ; and to bring on record her legal representative Fathima Jinnah, as the second respondent.

2.Notice was directed to the said legal representative. Court notice was refused to be received by her. Acknowledgment of service for private notice has been filed. Though her name is printed in the cause list, there is no representation either in person or through counsel.

3.In the affidavit filed in support of the application in CMP.No.5948/2018, it had been stated that the death of the sole respondent came to her knowledge only recently. The counsel had written a letter which had not reached the applicant. Thereafter immediately on getting knowledge, the applications have been filed. In view of the fact that the legal representative of the sole respondent has a right to proceed with the judicial proceedings, the above applications are allowed.

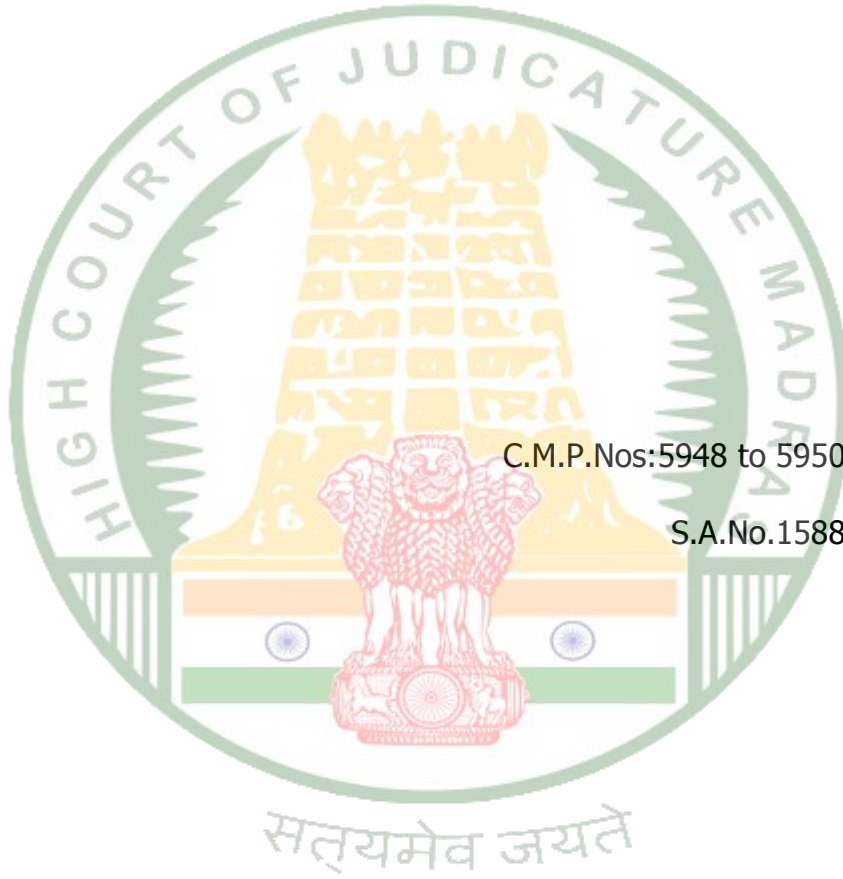
4.Registry is directed to record the death of the sole respondent and implead the proposed 2nd respondent as the legal representative as shown in the Civil Miscellaneous petition in CMP.No.5950/2018.

31.01.2019
(1/2)

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