

Application No. 9675 of 2019
in C.S.No.859 of 2016

SENTHILKUMAR RAMAMOORTHY.J

This application is filed to set aside the abatement as against the third defendant namely Rajagopal in C.S.No.859 of 2016.

2. I heard the learned counsel for the applicants and the learned counsel for the third defendant.

3. The learned counsel for the applicants submits that by earlier order dated 05.12.2019 the delay of 436 days in filing the application to set aside the abatement caused by the death of third defendant was allowed on the basis that the applicants became aware of the death of the third defendant only on 24.10.2019. He further submits that this is a consequential application to set aside the abatement.

4. The learned counsel for the third defendant submits that he has no objection to the present application being allowed. Upon considering the submissions of the learned counsel, it is just and necessary that the present application to set aside the abatement be allowed.

SENTHILKUMAR RAMAMOORTHY.J

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5. Accordingly, the application is allowed and the abatement as against the third defendant namely Rajagopal is set aside.

17.12.2019

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