

C.M.P.Nos.19933 to 19935 of 2016
in
S.A.No.791 of 2010

Dr.G.JAYACHANDRAN,J.

(The case has been heard through video conference)

These three petitions are filed due to the demise of the sole appellant namely M.Marappan, pending disposal of the second appeal. The appellant, who is the plaintiff in the suit have lost the case before the Courts below, has preferred the second appeal in the year 2010.

2. On 09.06.2015, the sole appellant has lost his breath. This fact has been brought to the notice of the learned counsel for the appellant belatedly by the legal representatives of the deceased appellant. Hence there is a delay of 336 days in filing the petition to set aside the abatement caused due to death of the sole appellant and to bring the legal representatives of the deceased sole appellant.

3. The learned counsel for the respondents herein served with copy of the petition. No counter has been filed.

4. Considering the reason given for condoning the delay, this Court allow the petition in C.M.P.No.19933 of 2016 to condone the delay of 336 days in filing the petition to set aside the abatement. Consequently, the petitions to set aside the abatement and to bring on record of the legal representatives are allowed.

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6. Post the matter for hearing on 18.08.2020.

21.07.2020

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Note:The Registry is directed to carry out necessary amendment.



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