

C.M.P.Nos.9273 & 9297 of 2020 in
Second Appeal No.594 of 2010

G.JAYACHANDRAN.J.,

C.M.P.No.9273 of 2020 has been filed to condone the delay of 1447 days in filing the petition to set aside the abatement caused by the death of the 1st respondent.

2.C.M.P.No.9297 of 2020 has been filed to condone the delay of 723 days in filing the petition to set aside the abatement caused by the death of sole appellant in S.A.594 of 2010.

3.Pending appeal, the sole appellant died on 04.04.2018 leaving behind his mother, wife and son as his legal heirs. There was a delay of 723 days in reporting the death of the sole appellant.

4.Pending appeal, the 1st respondent died on 10.04.2016 leaving behind his wife, sons and daughter as his legal heirs. There was a delay of 1447 days in

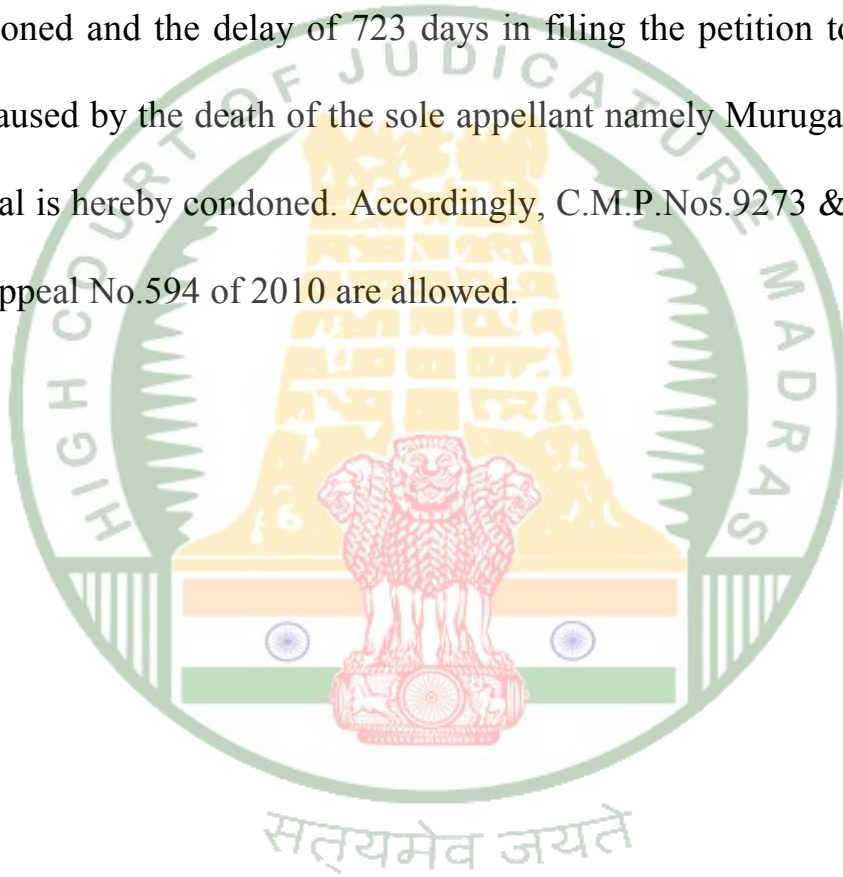
reporting the death of the 1st respondent.

5.Taking note of the reasons stated in the affidavits filed in support of these Civil Miscellaneous Petitions, the delay of 1447 days in filing the petition to set aside the abatement caused by the death of 1st respondent namely Kaliyamoorthy is hereby condoned and the delay of 723 days in filing the petition to set aside the abatement caused by the death of the sole appellant namely Murugan in the above second appeal is hereby condoned. Accordingly, C.M.P.Nos.9273 & 9297 of 2020 in Second Appeal No.594 of 2010 are allowed.

jbm

03.09.2020

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