

A.Nos.2308 and 2309 of 2020
in
C.S.No.738 of 2002

C.V.KARTHIKEYAN, J.,

These applications have been filed seeking to condone the delay of 28 days in filing the application to bring on record the legal representative of the deceased sole plaintiff and also to bring on record the applicant as legal representative of the deceased sole plaintiff.

2. In the affidavit filed in support of the two applications, the applicant Ms.Aruna Srikanth has stated that she is the daughter of the deceased plaintiff E.S.Rajabather and stated that she is living in United States and her father / sole plaintiff E.S.Rajabather died on 29.05.2020 at Chennai. It is also stated that she, as daughter of the plaintiff, her brother R.Dinesh @ Dinesh Kumar (son) and the wife of the plaintiff, Mrs.Shantha Rajabather are the legal heirs.

3. It is also stated that as she is the daughter of the deceased

plaintiff, she is entitled to made as a party to the suit and prosecute the suit further.

4. Heard the learned counsel for the plaintiff and the learned counsel for the defendants.

5. If the defendant wants to initiate proceedings against the property and if any protection is required, necessary legal representatives are to be made as party to the suit to prosecute the suit.

6. In view of that reasoning, the delay is condoned and the applications are allowed. Registry may make necessary amendment to the plaint by impleading the applicant Ms.Aruna Srikanth as 2nd plaintiff and record the death of the plaintiff E.S.Rajabather.

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10.12.2020

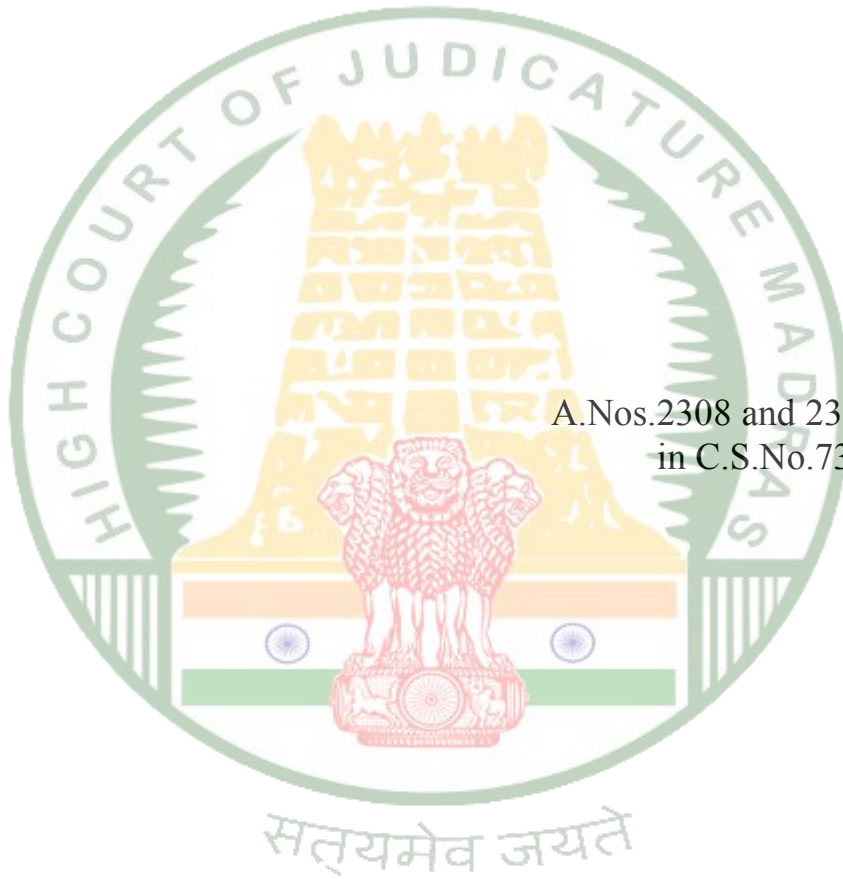
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