

**C.M.P.Nos.10517, 10520 & 10523 of 2020**  
**in**  
**S.A.No.949 of 2009**

**Dr.G.JAYACHANDRAN,J.**

**(The case has been heard through video conference)**

This Second Appeal is preferred by the sole appellant against the decree passed in the partition suit. The suit is pending since 2009.

2. The learned counsel for the appellant is now taken out three petitions due to the demise of the sole appellant namely C.Loganayaki, pending disposal of the second appeal, to set aside the abatement and to bring the legal representatives of the deceased with condone delay petition.

3. Though the delay is enormous, on considering the facts of the case being the partition suit, to give finding on merits rather than disposing the matter as abated, the delay of 1265 days is condoned. Consequently, the petitions to set aside the abatement and to bring on record of the legal representatives of the deceased sole appellant are allowed.

4. The learned counsels are requested to be ready for arguments on 07.10.2020.

**24.09.2020**

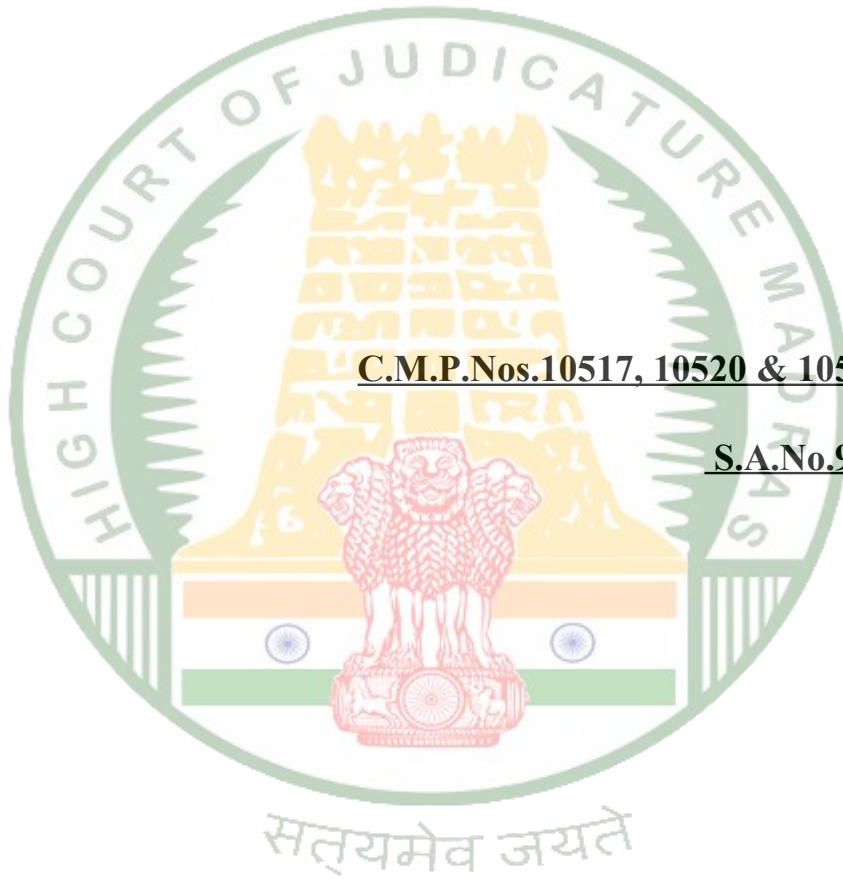
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**Note:**The Registry is directed to carry out necessary amendment.

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