

C.M.P Nos.21518, 21519 & 21520 of 2017
in S.A No.1157 of 2014

R.SUBRAMANIAN,J.

These Applications have been filed seeking to condone the delay of 425 days in filing the application to set aside the abatement caused due to the death of Mangayakarasai/1st respondent, set aside abatement and to bring on record proposed respondents 2 & 3 as the legal representatives of the deceased 1st respondent.

2. Heard Mr.Richardson Wilson, Learned Counsel for the petitioners/appellants, K.Chandrasekaran Learned Counsel for the 2nd respondent and Mr.K.S.Vaithiyanathan, Learned Counsel for the 3rd Respondent proposed parties.

3. The status of the proposed 2nd and 3rd respondents as the Legal representatives of the deceased sole respondent is not denied. However it is contended that there are other legal representatives and they should also be impleaded.

R.SUBRAMANIAN,J.

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4. Mr. Richardson Wilson, Learned Counsel for the appellants/petitioners would submit that, he has already taken out an application in C.M.P.SR.No.29760 of 2020 for impleading other legal heirs and same has not yet numbered, due to lock down. However, considering the reasons assigned in the affidavit filed in support of these applications and the fact that the learned counsel for the respondents has no objection for the delay of 425 days being condoned, the delay is condoned and the abatement caused by the death of the 1st respondent is set aside. The proposed respondents 2 & 3 are brought on record as respondents 2 & 3 in the Second Appeal.

5. Registry is directed to number the C.M.P.SR.No.29760 of 2020, if it is otherwise in order and post the same for hearing on 15.06.2020.

04.06.2020

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