

Appl. Nos.3770, 3771 & 3772 of 2021
in TOS No.84 of 2013

R.SUBRAMANIAN, J.

Heard Mr.V.Prabhu, learned counsel appearing for the applicant and Ms.Yogapriya, learned counsel appearing for Mr.V.R.Kamalanathan, for the respondents.

2. These applications have been filed seeking condonation of delay of 141 days in seeking to set aside the abatement caused by the death of the sole defendant in the suit, to set aside the abatement and to bring on record the respondents 1 to 3 herein, as defendants 2 to 4 in the suit.

3. Accepting the averments made in the affidavit filed in support of these applications, these applications are allowed. The fact that the counsel for the respondents has no objection for these applications being allowed is also placed on record. The delay in filing the application seeking to set aside the abatement caused by the death of the sole defendant is condoned. The abatement caused by the death of the sole defendant is set aside and the respondents 1 to 3 herein are brought on record as defendants 2 to 4 in the suit, as the Legal Representatives of the deceased sole defendant.

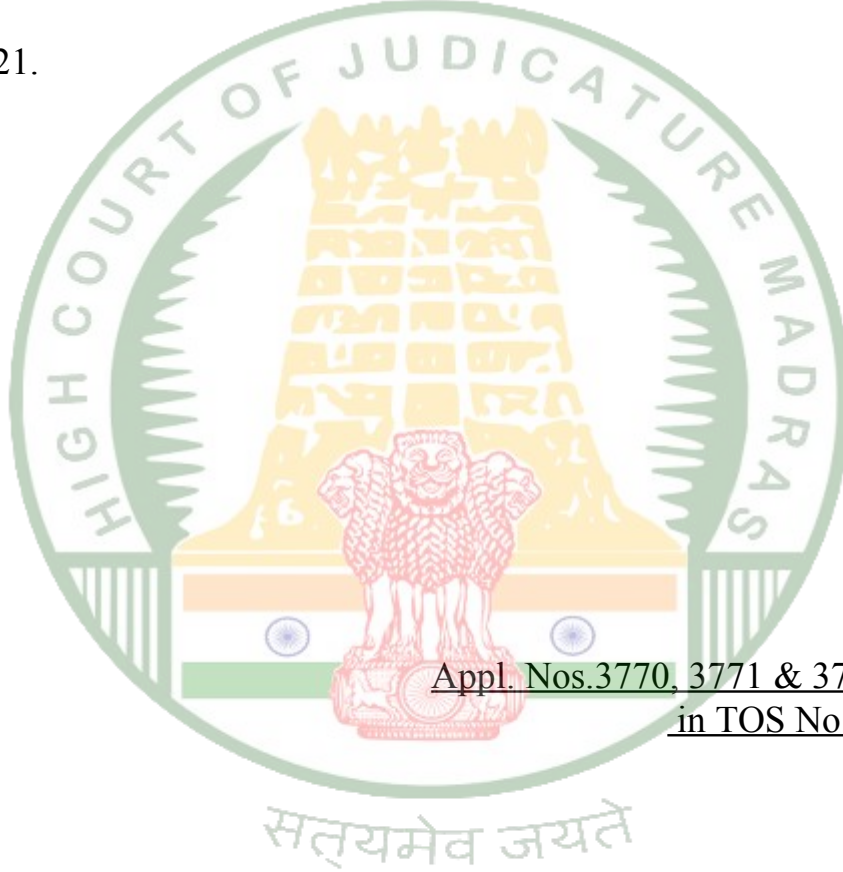
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4. The counsel for the plaintiff is permitted to carry out the necessary amendment and file amended copies of the petition by 12.11.2021.

22.10.2021

jv



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