



WEB COPY



CMP.Nos.547 & 659 of 2021

in

CRP No.1634 of 2017

C.V.KARTHIKEYAN, J.

Both these petitions have been filed to condone the delay of 207 days in setting aside the abatement, in filing application to bring on record legal representatives of the sole respondent / defendant in O.S.No.44 of 2003 which was pending on the file of the District Munsif Court, Thiruvotriyur and to set aside the abatement.

2.In the affidavit filed in support of the applications, it had been stated that the respondent / S.Babu died on 04.04.2019 leaving behind the respondents 2, 3 and 4 as his legal representatives. It is claimed that the knowledge of the death was only on 08.12.2020. It was stated that earlier there was no possibility of filing the application.

3.In view of the fact that, a substantial period of time after the death of the sole respondent had been under lockdown period owing to Covid-19 Pandemic, the delay is condoned and the abatement is also set aside.



WEB COPY



C.V.KARTHIKEYAN, J.

smv

4. On an earlier date, notice had been directed and notice had also been served and the names and addresses of the proposed respondents are also printed in the cause list. There is no appearance. However, no prejudice would be caused by condoning the delay and setting aside the abatement. Both the Civil Miscellaneous Petitions are allowed.

30.03.2022

smv

1/3

CMP.Nos.547 & 659 of 2021
in
CRP No.1634 of 2017