



WEB COPY



C.M.P.No. 12105 of 2022

in

S.A. No. 787 of 2018

T.V. THAMILSELVI, J.

This petition has been filed seeking to set aside the order dated 06.01.2020 dismissing the Second Appeal for default.

2. Mr.V.Lakshminarayanan, learned counsel for petitioners/proposed appellants submitted that the learned counsel for respondent reported the 2nd appellant Elumalai died on 27.11.2014 before this court on the date of hearing on 06.01.2020 and no steps have been taken to implead his legal heirs. Accordingly, the second appeal was dismissed for default on 06.02.2020. Hence, he has filed the above petition to restore the above S.A.

4. Considering the facts and circumstances, and being satisfied with the reasons assigned in the affidavit filed in support of the petition seeking to restore the Second Appeal, this Court is inclined to allow this petition and to restore the second appeal.

5. Post the matter on 05.08.2022

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26.07.2022
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