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CMP.Nos.4745, 4766 & 4769 of 2022
in
S.A.No.1067 of 2014

KRISHNAN RAMASAMY.J.,

These petitions have been filed praying (i) to condone the delay of 1306 days in filing the petition to bring on record the proposed appellants 12 to 14 as the legal heirs of the deceased 5th appellant in the above second appeal (ii) to set aside the abatement caused due to the death of the 5th appellant in the above Second Appeal and (ii) to implead the legal heirs of the deceased 5th appellant as 12th to 14th appellants in the above second appeal, respectively.

2.Heard, Mr.L.Dhamodharan, learned counsel for the petitioners/appellants and Mr.A.E.Ravichandran, learned counsel for the first respondent and Mr.R.Rajarajan, learned counsel for the respondents 9 & 10. Despite service of notice, none appeared for the other respondents.

3.The learned counsel for the petitioners /appellants has submitted that they were not able to get the details of the legal heirs in time and thereby, the delay had occurred. It is also reported that R2 had passed away



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and his LR's were already impleaded as respondents 9 & 10.

4. The learned counsel for the respondents 1, 9 & 10 has reported no objection in allowing these petitions.

5. Therefore, in view of the submission made by the learned counsel for the petitioners/appellants and considering the averments made in the affidavits filed in support of the respective petitions and also no objection is reported by the learned counsel for the respondents 1, 9 & 10 and in the interest of justice, these petitions are allowed.

6. Registry is directed to carry out necessary amendment in the cause title within a period of two weeks and post the second appeal for final hearing on 28.02.2023.

28.11.2022

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