



C.M.P.No.9999 of 2021
in A.S.(SR).No.17015 of 2020

M.DURAIWAMY, J.
and
SUNDER MOHAN, J.

Mr.T.S.Baskaran, learned counsel for the petitioners/appellants submitted that since the appellants have not taken steps to bring on record the legal representatives of the deceased respondents 14 & 60, the appeal may be dismissed as abated as against the deceased respondents.

2.Recording the submission made by the learned counsel for the appellants, the appeal is dismissed as abated as against the respondents 14 and 60.

3.The learned counsel for the petitioners filed a memo dated 09.09.2022 seeking to dispense with the notice to the respondents 34, 38, 39, 40, 41, 59 & 67 for the reason that they remained exparte before the trial Court. In view of the memo filed, notice to the respondents 34, 38, 39, 40, 41, 59 & 67 are dispensed with.

4.There is a delay of 270 days in filing the appeal.

5.The learned counsel for the respondents 1 to 3 have no objection for condoning the delay.

6.Though notices were served on the other respondents and their names have been printed in the cause list, none appeared on their behalf.

7.The petitioners have stated the reasons for the delay in paragraph no.6 of the affidavit filed in support of the petition.

8.We are satisfied with the reasons stated in the affidavit filed in support of the petition. The delay is condoned. The petition is ordered.