



C.M.P.Nos.9004, 9005 & 9006 of 2022
in S.A.No.1245 of 2012
and
C.M.P.Nos.9023, 9028 & 9031 of 2022
in S.A.No.1246 of 2012

C.V.KARTHIKEYAN,J.

The appellant / K.N.Marappasami had unfortunately died pending the Second Appeals. Claiming to be a cultivating tenant, he had instituted a suit seeking protection of possession. The respondents herein however, denied that particular claim and sought recovery of possession.

2.It is informed by the learned counsel for the appellant that both the Courts below have not upheld the claim of K.N.Marappasamy that he was a cultivating tenant. The First Appellate Court, by its decree, granted recovery of possession to the respondents. It is also informed that E.P.No.4 of 2012 also been filed by the respondents.

3.Since the appellant died, Civil Miscellaneous Petitions have been filed to condone the delay in filing the application to set aside the abatement, to set aside the abatement and to bring on record legal representatives as further appellants.



WEB COPY



C.V.KARTHIKEYAN,J.

Smv

4.In view of the fact that the legal representatives, in the circumstances stated above, should be given an opportunity to canvas the Second Appeal on merits and to argue on admission. These Civil Miscellaneous Petitions are allowed.

15.06.2022

smv

1/2

C.M.P.Nos.9004, 9005 & 9006 of 2022

in S.A.No.1245 of 2012

and

C.M.P.Nos.9023, 9028 & 9031 of 2022

in S.A.No.1246 of 2012