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CMP.Nos.14599, 14600, 14866 & 14760 of 2021

&

S.A.No.1757 of 2002

KRISHNAN RAMASAMY.J.,

These petitions have been filed praying (i) to condone the delay of 289 days in filing the petition to set aside the abatement caused due to the death of the deceased first respondent, in the above Second Appeal, (ii) to set aside the abatement caused due to the death of the deceased first respondent in the above second appeal, (iii) to permit the petitioners/appellants to bring on record the proposed respondents 4 to 7 herein as the legal heirs of the deceased first respondent in the above appeal and rank them as respondents 4 to 7 in the above second appeal, (iv) to bring on record the proposed appellants 2 to 5 herein as legal representatives of the deceased first appellant and rank them as appellants 2 to 5 in the above second appeal, respectively.

2.Heard Mr.J.Ramakrishnan for M/s.Sarvabhaman Associates, the learned counsel for the petitioners/appellants and Mr.Manoharan, for Mr.D.Rajasekar, learned counsel for the respondents 4 & 6. The name of R5 also printed in cause list but none appeared.

KRISHNAN RAMASAMY.J.,



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3.The learned counsel for the respondents 4 & 6 has no objection in allowing these petitions.

4.Therefore, considering the averments made in the affidavits filed in support of the respective petitions and in view of the fact that the appeal is pending from the year 2002, and in the interest of justice, this Court is inclined to allow these petitions.

5.Accordingly, these petitions are allowed. Registry is directed to carry out necessary amendment in the cause title within a period of two weeks and list the Second Appeal on 19.12.2022.

20.10.2022

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