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CMP.Nos.11234, 11232 & 11230 of 2021
in
S.A.No.202 of 2008

KRISHNAN RAMASAMY.J.,

These petitions have been filed praying (i) to condone the delay of 904 days in filing the petition to set aside the abatement caused due to the death of the 8th respondent M.Mani in the above second appeal (ii) to set aside the abatement caused due to the death of the 8th respondent M.Mani in the above Second Appeal and (ii) to bring on record the respondents 11 to 13 herein as the Legal heirs of the deceased 8th respondent namely M.Mani and rank them as respondents 11 to 13 in the above second appeal, respectively.

2.Heard, Mr.K.Vellayaraj, learned counsel for the petitioner/appellant and Mr.N.Manokaran, learned counsel for the 9th respondent. Despite service of notice to R11 and R13, none appeared on behalf of them.

3.The learned counsel for the petitioner /appellant 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 R12 had passed away.



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4.The learned counsel for the 9th respondent has submitted that the respondents 11 to 13 are the legal heirs of the deceased 8th respondent and he has reported no objection to allow the petitions.

5.Therefore, in view of the submission made by the learned counsel for the petitioner/appellant and considering the averments made in the affidavits filed in support of the respective petitions and as no objection reported by the learned counsel for 9th respondent 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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