



C.M.P.Nos.12477, 12479 & 12484 of 2021
in S.A.Nos.79 & 80 of 2002

C.V.KARTHIKEYAN, J.

Keeping these Civil Miscellaneous Petitions pending any further on the Board of this Court would only be an exercise futility since again and again notices have to be issued.

2.Though notice have been served, learned counsels have not entered appearance.

3.The present Civil Miscellaneous Petitions are with respect to the 6th respondent/Narasimman who was the 2nd defendant in O.S.No.579/1990 on the file of the Principal District Munsif Court at Tiruvannamalai. He was also an appellant in A.S.No.138/2000 which emanated from the aforementioned Original Suit. He had died necessitating filing of the present petition.

4.It is stated by the learned counsel that notices have been served on his legal representatives and their names are also reflected in the cause list. However there is no appearance or any indication that any counsel had entered appearance on behalf of the said respondents.

5.In the affidavit filed in support of the present applications, it had been stated that the deponent of the affidavit was not aware of the procedure of the Court and were not able to furnish the particulars of the legal heirs within the time period. There had been a delay.



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6.In view of the fact that the Second Appeals had been admitted and substantial questions of law had been framed which naturally casts a responsibility on the Court to answer the substantial questions of law, I would allow these applications.

7.Accordingly, these Civil Miscellaneous Petition are allowed.

29.07.2022
(1/2)

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