



WEB COPY



C.M.P.Nos.11799, 11803, 11804, 11805
11806, 11807, 11808, 11809 and 11810 of 2022
in S.A.No.823 of 2021

P.T.ASHA, J.

C.M.P.Nos.11806, 11804 and 11805 of 2022 have been filed to condone the delay of 58 days in filing the petition to set aside the abatement caused due to the death of the 26th respondent viz., Srinivasa Mudaliar; to set aside the abatement caused due to the death of the 26th respondent; and to bring on record the proposed 42nd respondent herein as legal representative of the deceased 26th respondent and to rank them as 45th respondent in the above second appeal.

C.M.P.Nos.11799, 11808 and 11810 of 2022 have been filed to condone the delay of 98 days in filing the petition to set aside the abatement caused due to the death of the 16th respondent viz., Kandasamy Achari; to set aside the abatement caused due to the death of the 16th respondent; and to bring on record the proposed respondents 38 to 41 herein as legal representative of the deceased 16th respondent and to rank them as respondents 41 to 44 in the above second appeal.

C.M.P.Nos.11808, 11803 and 11807 of 2022 have been filed to condone the delay of 22 days in filing the petition to set aside the abatement caused due to the death of the 29th respondent viz., Kamalammal; to set aside the abatement caused due to the death of the 29th respondent; and to bring on record the proposed 43rd respondent herein as legal representative of the deceased 29th respondent and to rank them as respondent 46 in the above second appeal.



2. Heard the learned counsel for the appellants and perused the materials available on record. On the last occasion, i.e. 22.08.2022, a fresh notice was ordered to the respondents 42 and 43 through Court as well as privately. Notice sent to the 42nd respondent has been returned with an endorsement "unclaimed". Therefore, there is a deemed service on the 42nd respondent. Notice sent to the 43rd respondent has also been returned with an endorsement "unclaimed", though the intimation has been delivered on two occasions at the premises, to which notice has been addressed. All the proposed respondents have been served.

3. Being satisfied with the reasons stated in the affidavits filed in support of these applications, the delay is condoned and the applications are allowed.

14.09.2022

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Note :

The Registry is directed to carry out necessary amendments and post the second appeals in the usual course.



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