



WEB COPY



C.M.P.No.11864 of 2022

in

C.R.P.No.3561 of 2016

J.NISHA BANU,J.

This petition has been filed to condone the delay of 122 days in representation of the petition to set aside the abatement of the deceased first respondent, Thailammai.

2. Learned counsel for the petitioner would submit that the first respondent died on 27.10.2020 and the legal heirs are required to be brought on record within 30 days of her death. However, the legal heirs were not brought on record, since the deponent does not know about the legal necessity to bring on record the legal heirs of the deceased Thailammai. Since the delay is more than 60 days, the petition was abated with respect to the first respondent. The delay is neither willful nor wanton. Hence, the delay may be condoned.

3. Considering the submissions made by the learned counsel for the petitioner and on perusal of the affidavit filed in support of the petition, the delay is condoned on payment of cost of Rs.500/- (Rupees Five Hundred



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only) to the Tamilnadu Legal Services Authority, Chennai, within a period of one week from the date of receipt of a copy of this order, failing which, this petition shall stand automatically dismissed, without any reference to this Court.

21.07.2022

vsi

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