



WEB COPY



C.M.P.Nos. 13959, 13962 & 13966 of 2022

in

S.A. No. 629 of 2018

T.V. THAMILSELVI, J.

These petitions have been filed seeking to condone the delay of 169 days in setting aside the abatement, to set aside the abatement caused due to the death of 2nd appellant, and to bring on record the proposed appellants 6 to 8 herein as legal representatives of deceased 2nd appellant.

2. Mr. R.T.Doraisamy, learned counsel for petitioners/appellants submitted that pending appeal, 2nd appellant died on 18.10.2020. He would submit that inadvertently, steps have not been taken to bring the legal heirs of 2nd appellant on record in time, however, the delay of 169 days in setting aside the abatement arose and the delay is neither willful nor wanton. Hence, he has filed the above petitions.

3. Mr.M.Guruprasad, learned counsel appearing for respondents 1 and 2 appeared and submitted that he has no objection in allowing the petitions.

4. Considering the facts and circumstances, and the reasons stated by the petitioners in the affidavit is justifiable one, all the petitions are allowed. The proposed legal representative of the 2nd appellant are impleaded as appellants 6 to 8 in the above Second Appeal.

24.08.2022

rpp

Note : The Registry is directed to carry out the necessary amendment in the cause title and post the matter on 26.08.2022 for arguments.



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T.V.THAMILSELVI, J.

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