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CMP.Nos.21263 to 21265 of 2019

in

CMP No.21927 of 2018

in

S.A.No.1366 of 2000

KRISHNAN RAMASAMY.J.,

These petitions have been filed praying (i) to condone the delay of 380 days in filing the petition to set aside the abatement caused due to the death of the deceased 6th respondent namely Kanja Naicker in the above Second Appeal, (ii) to set aside the abatement caused due to the death of the deceased 6th respondent namely Kanja Naicker in the above Second Appeal, (iii) to permit the petitioners/appellants to bring on record the proposed respondents 19 to 21 namely (i) Nataraj, (ii)Saroja, (iii) Sudhamani as the legal heirs of the deceased 6th respondent namely Kanja Naicker in the above second appeal, respectively.

2.Heard, Ms.Zeenath Begum, learned counsel for the petitioners/appellants and Mr.V.Paul Das, learned counsel for the first respondent. Despite service of notice, none appeared for the proposed respondents.



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KRISHNAN RAMASAMY.J.,

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3. Therefore, considering the averments made in the affidavits filed in support of the respective petitions and in view of the fact that the appeal is pending from the year 2000, and in the interest of justice, this Court is inclined to allow these petitions.

4. Accordingly, these petitions are allowed. Registry is directed to carry out necessary amendment in the cause title within a period of two weeks and list the Second Appeal in the 3rd week of January 2023.

14.11.2022

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