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C.M.P. Nos.10735, 10736 & 10737 of 2022
in S.A.No.603 of 2013

C.M.P.Nos.10735, 10736 & 10737 of 2022

in
S.A. No. 603 of 2013

T.V. THAMILSELVI, J.

These petitions have been filed seeking to condone the delay of 2367 days in filing the petition to set aside the abatement, to set aside the abatement caused due to the death of 1st respondent, and to bring on record the proposed respondents 2 to 5 herein as legal representatives of deceased 1st respondent.

2. Mr.V.Neethidurai, learned counsel for petitioners/appellants submitted that pending appeal, 1st respondent died on 16.09.2012. He would submit that as the 1st respondent lived with his daughter's house at Kunjimedu village, the petitioners had no knowledge about the death of 1st respondent till 2nd August 2019 and now only, they came to know about the same. However, the delay of 2367 days arose and the delay is neither willful nor wanton. Hence, he has filed the above petitions.

3. Mr.G.Pugazendhi, learned counsel for respondent appeared and submitted that he has no objection in allowing this petition.



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4. Considering the facts and circumstances, and being satisfied with the reasons assigned in the affidavit, all the petitions are allowed. The proposed legal representatives of the 1st respondent are impleaded as respondents 2 to 5 in the above Second Appeal.

26.08.2022

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Note :- The Registry is directed to carry out the necessary amendment in the cause title and post the matter on 13.09.2022.



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18.08.2022