



WEB COPY

CMP.No.21023 of 202
in SA.No.1338 of 2004



Krishnan Ramasamy, J.,

1st respondent had unfortunately died.

2. This petition has been filed to set aside the abatement caused due to the death of 1st respondent namely Arumugha Gounder in the Second Appeal. In the affidavit filed in support of the said petition, it has been stated that 1st respondent died on 30.11.2018 leaving behind his wife, sons and daughters as his surviving legal heirs. By the time, 4th petitioner/appellant came to know about the death of 1st respondent, there was already a delay and appeal had been abated.

3. The legal heirs have to be given opportunity to prosecute further in the Second Appeal. Hence the petition is allowed as prayed for. Registry is directed to make necessary amendments in the cause title within a period of 10 days from today and thereafter, list the matter on 22.09.2022.

07.09.2022

Sni