



WEB COPY



CMP.Nos.21126, 21129 & 21133 of 2021

in

A.S.No.302 of 2018

C.V.KARTHIKEYAN, J.

The sole appellant, R.Asaithambi had died on 15.09.2019. This required the legal representatives to be brought on record. These three petitions have been filed to condone the delay of 88 days in filing the application to set aside the abatement and to bring on record the legal representatives to prosecute the Appeal further.

2.In the affidavit filed in support of these three petitions, it had been stated that the deponent of the affidavit namely, the son of the sole appellant came to know about the pendency of the appeal recently when the counsel had forwarded a letter regarding listing of the First Appeal. Thereafter, the information that the appellant had died had been given and then, the applications had been filed.

3.Heard the learned counsel for the respondents, who had not raised any serious objection. As a matter of fact, the learned counsel stated that an another appeal in A.S.No.561 of 2017 had also been filed, which is connected with the present appeal.



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smv

4.In view of these facts, all the three petitions are allowed and the delay is condoned, the abatement is set aside and the legal heirs of the sole appellants are directed to brought on record as appellants 2, 3 and 4.

09.03.2022

smv

(1/2)

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