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CMP.Nos.17524, 17533 & 17538 of 2022

&

S.A.No.1267 of 2013

KRISHNAN RAMASAMY.J.,

These petitions have been filed praying (i) to condone the delay of 73 days in filing the petition to set aside the abatement caused due to the death of the respondent namely Dhanapagyathammal, in the above Second Appeal, (ii) to set aside the abatement caused due to the death of the respondent namely Dhanapagyathammal, in the above second appeal, (iii) to permit the petitioners/appellants to bring on record the proposed respondent namely Valarmathi as the legal heir of the deceased respondent namely Dhanapagyathammal and rank her as respondent in the above second appeal, respectively.

2. Mr.S.Kamadevan, learned counsel for the petitioners/appellants would submit that during pendency of the appeal, the sole respondent had passed away leaving behind one Tmt.Valarmathi/proposed respondent as her sole legal heir and now, the proposed respondent is inclined to settle the dispute amicably and the both the parties also entered into compromise



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memo. Therefore, the learned counsel would urge this Court to allow the present petitions.

3. Ms.Valarmathi, proposed respondent, appeared party-in-person before this Court and reiterated the submission made by the learned counsel for the petitioners/appellants.

4. Considering the averments made in the affidavits filed in support of the respective petitions and also in view of the compromise entered by the parties, these petitions are allowed.

5.Registry is directed to carry out necessary amendment in the cause title.

17.10.2022
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