



WEB COPY

CMP.No.21296 of 2021
in S.A.No.9 of 1996

C.V.KARTHIKEYAN, J.

It is stated that the 1st respondent had unfortunately died. It must be noted that earlier on 31.01.2006, a learned Single Judge of this Court had recorded a fact, stated by the learned counsel for the appellant, that the issues between the parties have settled out of Court and therefore, dismissed the Second Appeal as settled out of Court. However, it is informed by the learned counsel for the appellant that subsequently, the Second Appeal had been restored back to file.

2.The present Civil Miscellaneous Petition has been filed not to bring on record the legal representatives of the 1st respondent, but the purchaser who appears to have purchased the property from the beneficiary of the Will executed by the 1st respondent.

3.Notice had been directed. The learned counsel had also entered appearance. The Second Appeal had been admitted and the substantial questions of law had also been framed.



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C.V.KARTHIKEYAN,J.

smv

4.In view of the fact that a burden is cast on the Court to answer the substantial questions of law, I would allow the Civil Miscellaneous Petition.

04.07.2022

smv

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