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C.M.P.Nos. 22480, 22481 & 22482 of 2017

in

S.A. No. 806 of 2014

T.V. THAMILSELVI, J.

These petitions are filed seeking to condone the delay of 552 days in setting aside the abatement, to set aside the abatement caused due to the death of sole respondent, and to bring on record the proposed 2nd respondent herein as legal representatives of deceased sole respondent.

2. Mr. R.Vijayaraghavan, learned counsel for petitioners/appellants submitted that pending appeal, sole respondent died on 15.09.2015. He would submit that during the first week of July 2017, the petitioners came to know that the sole respondent died and only thereafter, they have contacted the present counsel and instructed them to file necessary petitions, however, the delay of 552 days in setting aside the abatement arose. Hence, he has filed the above petitions.

3. Mr.R.Krishnasamy, learned counsel appearing for 2nd respondent appeared and undertake to file vakalat on behalf of proposed legal heir of 1st respondent.

4. Considering the facts and circumstances, and being satisfied with the reasons assigned in the affidavit, all the petitions are allowed. The proposed legal representative of the sole respondent is impleaded as 2nd respondent in the above Second Appeal.

01.08.2022

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Note : The Registry is directed to carry out the necessary amendment in the cause title and post the matter on 10.08.2022.



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