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C.M.P.Nos.3801, 3789 & 3802 of 2022

in

S.A. No. 782 of 2014

T.V. THAMILSELVI, J.

These petitions are filed seeking to condone the delay of 816 days in setting aside the abatement, to set aside the abatement caused due to the death of 1st Appellant, and to bring on record the proposed appellants 10 to 12 herein as legal representatives of deceased 1st appellant.

2. Mr.N.Ponraj, learned counsel for petitioners/appellants submitted that pending appeal, 1st appellant died on 04.07.2019. He would also submit that as his wife and son were in depressed position, they came to know about the above appeal only during last week and thereafter, they have instructed counsel on record to file a petition to implead them on record. Hence, the petition was not filed in time. In view of the same there is a delay of 816 days arose and the delay is neither willful nor negligent. Hence, he has filed the above petitions.

3. Mr.R.Kannan, learned counsel appearing for the respondents 1 and 2 appeared and raised formal objections in allowing these petitions.



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4. Considering the facts and circumstances and being satisfied with the reasons assigned in the affidavit, all the petitions are allowed. The proposed legal representatives of the 1st appellant are impleaded as appellants 10 to 12 in the above Second Appeal.

04.08.2023

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Note : The Registry is directed to carry out the necessary amendment in the cause title and list the matter on 30.08.2023.



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T.V.THAMILSELVI, J.

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C.M.P.Nos. 3801, 3789 &
3802 of 2022
in
S.A. No. 782 of 2014

04.08.2023

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