



WEB COPY



C.M.P.Nos. 6599, 6600 & 6605 of 2023

in
A.S. No. 990 of 2014

T.V. THAMILSELVI, J.

These petitions are filed seeking to condone the delay of 1358 days in setting aside the abatement, to set aside the abatement caused due to the death of 1st respondent and to bring on record the proposed 2nd respondent herein as legal representatives of deceased sole respondent.

2. Ms.T.R.Gayathri, learned counsel for petitioners/appellants submitted that pending appeal, sole respondent died on 04.12.2018. He would also submit that though he came to know about the death of sole respondent, the petitioner unable to get details of his legal heirs. Hence, the petition to implead his legal heirs was not filed in time. In view of the same, there is a delay of 1358 days arose and the delay is neither willful nor negligent. Hence, he has filed the above petitions.

3. Mr.R.Jayaprakash, learned counsel takes notice on behalf of 2nd respondent

4. Heard both sides.



5. Considering the facts and circumstances and on considering the reasons assigned in the affidavit seems to be justifiable one, all the petitions are allowed. The proposed legal representative of the sole respondent is impleaded as 2nd respondent in the above Second Appeal.

17.07.2023

rpp

Note : The Registry is directed to carry out the necessary amendment in the cause title and list the matter on 09.08.2023 along with connected appeals in A.S.No.494, 11 to 14, 681 of 2014.



WEB COPY



T.V.THAMILSELVI, J.

rpp

C.M.P.Nos. 6599, 6600

& 6605 of 2023

in

A.S. No. 990 of 2014

17.07.2023