



C.M.P.No. 15980 of 2022

in

S.A. No. 241 of 2011

T.V. THAMILSELVI, J.

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This petition has been filed seeking to restore the Second Appeal No.241 of 2011, which was dismissed as abated on 13.04.2022.

2. Mr.P.Mohanraj, learned counsel for petitioner/appellant submitted that on 13.04.2022, when the above appeal was listed for hearing, it was dismissed as abated. He would submit that there is no lapse on his part in taking steps to bring on record the legal heirs of 1st respondent viz., respondents 14 to 17 and the petition to condone the delay in filing the said petition were allowed by this court on 14.06.2017 itself and now he has filed a fresh petition. However, as the amendment was not carried out in the cause title, the above appeal was dismissed as abated. Hence, he has filed the above petition praying to restore the above appeal.

3. Considering the facts and circumstances, and being satisfied with the reasons assigned in the affidavit filed in support of the petition seeking to restore the Second Appeal, this Court is inclined to allow this petition and to restore the Second Appeal.

4. Post the matter on 18.08.2023 along with connected C.M.P.SR.No.36282 of 2017.

04.08.2023

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