



WEB COPY



*CMP.Nos.12722, 12725 & 12726 of 2020
in SA.No.633 of 2010*

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C.KUMARAPPAN, J

These petitions have been filed to condone the delay of 522 days in filing the set aside the abatement, and to bring on record the legal heirs of 1st appellant respectively in the above Second Appeal.

2. The learned counsel for the petitioners/appellants would submit that the petitioners 4 to 9 are the legal heirs of the first appellant. Therefore, on the death of the first appellant, the petitioners 4 to 9 to be impleaded as the appellants 4 to 9.

3. Having considered the submission made by the learned counsel for the petitioners and having satisfied with the same, this Court is inclined to allow all the applications.

4. In the result, these CMPs are allowed. Registry is directed to make necessary amendment in the cause title.



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5. It appears that during the pendency of these applications, the first respondent K.Kamalambal died. Hence, the petitioners filed a Memo stating that the legal heirs of the deceased first respondent are already on record as respondents 2 to 5. Therefore, there is no necessity to file an application to implead the LR's and prayed to treat the respondents 2 to 5 are the LR's of the deceased first respondent. The Memo is taken on record. Registry is directed to make necessary amendment in respect of the death of the first respondent and record her legal heirs.

14.12.2023

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