



C.M.P.No.9764 of 2022

C.M.P.No.9764 of 2022

in

S.A.No.1426 of 2007

P.T. ASHA. J,

The above petition is filed to set aside the dismissal order dated 17.06.2021. Since the appellants have not taken any steps to bring on record the legal representatives of the deceased 1st appellant, the Court was pleased to dismiss the Second Appeal for non-prosecution as the earlier directions were not complied with.

2. The petition to set aside the dismissal order has been filed within a period of 3 months, along with the petitions to condone the delay in filing the petition to set aside the abatement caused due to the death of the 1st appellant, to set aside the abatement caused due to the death of the 1st appellant and to bring on record the petitioners 6 to 8 as the legal representatives of the deceased 1st appellant.

3. Mr.C.Sivakumar, learned counsel for the respondent would



C.M.P.No.9764 of 2022

submit that in the petition which has been filed for bringing on record the legal heirs, the appellants have not brought on record the children of the 1st wife of the deceased 1st appellant. The learned counsel for the appellants is directed to take steps to bring on record all the legal representatives of the deceased 1st appellant and file clean copy. The learned counsel for the appellants shall positively comply with this order within 10 days from today.

4. The above petition is ordered and the Second Appeal is restored to the file. The Registry shall number the other petitions after the details of all the legal representatives are furnished.

10.02.2023

kan



WEB COPY



C.M.P.No.9764 of 2022

P.T. ASHA. J,

kan

C.M.P.No.9764 of 2022
in S.A.No.1426 of 2007



WEB COPY



C.M.P.No.9764 of 2022

10.02.2023