



C.M.P.Nos.21754, 21769 & 21773 of 2023
in S.A.Nos.1620, 1638 & 1640 of 2011

C.KUMARAPPAN, J.,

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These miscellaneous petitions in C.M.P.Nos.21754, 21769 & 21773 of 2023 are filed to

- (i) condone the delay of 347 days in filing the petition to set aside the abatement,
- (ii) set aside the abatement,
- (iii) bring on records of the proposed respondents/legal heirs of the deceased sole respondent, respectively.

2. The learned counsel for the petition has also filed a memo for amending the name of the proposed third respondent as Vijaya Mala instead of Vijayabala.

3. Heard the learned counsel for the petitioner. There is no serious objection on behalf of the respondents.

4. Considering the reasons that have been set out for the delay, set aside the abatement and to bring on records of the proposed respondents and also having been satisfied with the same, these petitions are allowed and the memo is taken on record. Registry is directed to make necessary amendments in the second appeal in S.A.No.1640 of 2011.

5. The learned counsel for the appellant in S.A.No.1620 of 2011 would submit that he has already moved an application to implead the legal heirs of the deceased sole appellant and the same has also been numbered as C.M.P.Nos.28276 to 28278 of 2023. Hence, Registry is directed to list the same before this Court.

6. Post the matter on 18.12.2023.

13.12.2023



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apd

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