



A. Nos.5115 & 5116 of 2022 in
T.O.S. No.2 of 2022 and C.S. No.364 of 2019

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and C.S. No.364 of 2019**

N.SESHASAYEE. J.,

A. No.5115 of 2022 has been filed to set aside the abatement caused due to the death of the 2nd defendant in T.O.S. No.2 of 2022.

2. A. No.5116 of 2022 has been filed to bring on record the legal heirs of the deceased 2nd defendant as defendants 4 to 6 in T.O.S. No.2 of 2022.

3. Mr.C.Jayavel, learned counsel enters appearance for R3 to R5/D4 to D6.

4. Heard both sides.

5. Having satisfied with the reasons stated in affidavits filed in support of the applications, these applications are ordered. Plaint will have to be amended by today itself.

6. Mr.C.Jayavel, learned counsel is now required to file his Vakalat for D4 to D6.



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7. Learned counsel appearing for the plaintiff in C.S. No.364 of 2019 seeks some time to bring on record the legal heirs of the 7th defendant (2nd defendant in T.O.S. No.2 of 2022). Similarly, learned counsel appearing for the plaintiff in T.O.S. No.2 of 2022 states that the second plaintiff in the testamentary original suit, who is the second defendant in C.S. No.364 of 2019 is also dead and the plaintiff in the civil suit has not taken any steps to implead the LRs of both second and seventh defendant in that suit. The suit abated against defendants 2 and 7 in C.S. No.364 of 2019.

8. Post the matter on 01.03.2023.

03.01.2023

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