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A.Nos.6656, 6655 & 6654 of 2023
in
O.P. SR No.76422 of 2022

N.SATHISH KUMAR.J.,

The applications are filed seeking to (i) condone the delay of 15 days in setting aside the abatement caused due to the demise of the 1st petitioner- T.S.Sivakumar in O.P.SR NO.76422 of 2022; (ii) set aside the the abatement caused due to the demise of the 1st petitioner; and (iii) bring on record the proposed petitioners/applicants 2 to 4 as the legal representatives of the deceased 1st petitioner in O.P.SR NO.76422 of 2022.

2. Heard the counsel for the applicant.

3. According to the learned counsel, the 1st petitioner in the unnumbered original petition is no more and he died on 21.05.2023. He has also filed a Xerox copy of the death certificate of T.S.Sivakumar.

4. Considering the averments made in the affidavit filed in support of these applications and the submissions made by the learned counsel for the petitioner, this court is of the view that the proposed petitioners being legal heirs of the deceased 1st petitioner in the unnumbered original petition, they are absolutely



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necessary parties to the proceedings. Therefore, this court is inclined to allow these applications.

In the result, the applications are allowed. The petitioner is directed to carry out necessary amendment in the unnumbered original petition and file amended copy of the petition on or before the next date of hearing.

Call on 08.01.2024.

14..12..2023

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