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C.M.P. Nos.4599, 4600 & 4604 of 2024
in S.A.No.525 of 2023

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S.A. No. 525 of 2023

T.V. THAMILSELVI, J.

These petitions have been filed seeking to condone the delay of 250 days in filing the petition to set aside the abatement, to set aside the abatement caused due to the death of sole respondent, and to bring on record the proposed respondents 1 to 6 herein as legal representatives of deceased sole respondent.

2. Mr.C.Jagadish, learned counsel for petitioners/appellants submitted that pending appeal, sole respondent died on 15.01.2023. He would submit that the petitioner came to know about his death only on return of private notice sent to him and it is not due to any willful negligence on his part. However, the delay of 250 days arose and the delay is neither willful nor wanton. Hence, he has filed the above petitions.

3. On perusal of records, it reveals that the paper publication was effected and the name of respondents also printed in the cause list, but there is no representation on the side of respondents. So, on considering the facts and circumstances and being satisfied with the reasons assigned in the affidavit, all the petitions are allowed on condition that the petitioner shall



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pay a cost of Rs.1000/- payable to the Tamil Nadu State Legal Services Authority, Chennai within a period of one week from today. The proposed legal representatives of the sole respondent are impleaded as respondents 1 to 6 in the above Second Appeal. The Registry is directed to carry out the necessary amendment in the cause title and post the matter on 03.07.2024.

21.06.2024

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