



C.M.P. No.4231 of 2022

in

S.A. No. 895 of 2012

K. RAJASEKAR, J.

WEB COPY

This Civil Miscellaneous Petition has been filed by the petitioners herein seeking to condone the delay of 1348 days in filing the set aside abatement petition caused due to death of the first appellant/ Sambasiva Mudali in S.A. No.895 of 2012.

2. The learned counsel for the appellant submits that the first appellant in S.A. No.895 of 2012 was died on 27.01.2018, leaving behind Mr.Kamalakannan as his legal heir. He further submitted that only recently, he came to know about the death of the first appellant, only when he had informed the other appellants about the case, hence there is a delay in filing the petition. Therefore, he prayed to condone the delay of 1348 days in seeking to set aside the abatement caused by the death of the first appellant.

3. The learned counsel appearing for the respondents raised no objections.

4. Heard the learned counsels on both sides and considering the reasons stated in the affidavit filed in support of this petition, the aforesaid delay of 1348 days is condoned. Registry is directed to carryout necessary amendment.

5. Accordingly, this Civil Miscellaneous Petition is ordered.

12.09.2024

(1/3)

stn



WEB COPY



K. RAJASEKAR, J.

stn

C.M.P. No.4231 of 2022

in

S.A. No. 895 of 2012

12.09.2024