



C.M.P.No.10513 of 2024

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in
S.A.No.1159 of 2012

K.RAJASEKAR,J.

This petition has been filed to condone the delay of 630 days in filing the petition to set aside the abatement caused due to the death of the deceased sole appellant namely Janaki in S.A.No.1159/2012.

2. Heard the learned counsel for the petitioner and perused the records.

3. It is stated by the learned counsel for the appellant that the sole appellant namely Janaki in S.A.No.1159/2012 was died leaving surviving petitioners herein as his Legal representatives. He further submits that the sole appellant alone was handling the case and the legal heirs have no knowledge about the pendency of the case. The legal heirs have come to the knowledge about the pendency of the appeal only very recently when the counsel contacted the petitioners regarding the case, the petitioners have informed him about the death of the sole appellant, hence there is a delay in filing the petition.



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4. Considering the reasons stated in the affidavit filed in support of this petition, the aforesaid delay of 630 days in filing the petition to set aside the abatement caused due to the death of the deceased sole appellant namely Janaki in S.A.No.1159/2012 is condoned.

5. Accordingly, this Civil Miscellaneous Petition is allowed. Registry is directed to carry out necessary amendments in the cause title.

04.09.2024
(1/3)

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