



CMP. Nos.7816, 7821 & 7826 of 2023
in
S.A. No.470 of 2009 &
M.P. No.1 of 2010 in S.A. No.468 of 2009
and
S.A. Nos.469 & 470 of 2009 &
M.P. Nos.1, 1, 1 & 1 of 2009

P.B.BALAJI, J.,

CMP. Nos.7816, 7821 & 7826 of 2023 in S.A. No.470 of 2009, have been filed to condone the delay of 2378 days in filing the petition to set aside abatement caused due to the death of the sole appellant viz., V.Ramamoorthy; to set aside abatement and to bring on record the proposed respondents 2 to 6 being the legal heirs of the deceased sole appellant.

2. M.P. No.1 of 2010 in S.A. No.468 of 2009 has been filed to bring on record the proposed appellants 2 to 6 being the legal heirs of the deceased sole appellant, Jagajothi Ammal.

3. In MP. No.1 of 2010, the learned counsel for the respondent, Mr.P.Willson, fairly concedes that the cause of action survives after the death of the sole appellant and he has no serious objection for allowing this Petition as prayed for.



P.B.BALAJI, J.

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4. CMP. Nos.7816, 7821 & 7826 of 2023 in S.A. No.470 of 2009, though the delay is 2378 days, on a reading of the affidavit, I find that satisfactory reasons are assigned for not filing these petitions in time and further the learned counsel for the respondent also has no serious objection in allowing all these petitions.

5. I have independently perused the common affidavit filed in support of the above Civil Miscellaneous Petitions and I am satisfied with the reasons for the delay in not filing these petitions within time. Accordingly, these Civil Miscellaneous Petitions are ordered.

6. Registry is directed to,

(i) carry out the necessary amendments in the cause title in S.A. Nos.468 & 470 of 2009; and

(iii) post the matter after three weeks for hearing.

16.08.2024

rkp

CMP. Nos.7816, 7821 & 7826 of 2023 in S.A. No.470 of 2009 & M.P. No.1 of 2010 in S.A. No.468 of 2009 and S.A. Nos.469 & 470 of 2009 & M.P. Nos.1, 1, 1 & 1 of 2009