



WEB COPY



C.M.P.Nos.6777, 6778 & 6779 of 2023
in
S.A.No.1464 of 2011

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N.SENTHILKUMAR, J.

These petitions are filed to condone the delay of 230 days in filing the petition to set aside the abatement caused due to the death of the sole appellant, S.Krishnasamy in the appeal ; to set aside abatement ; and to bring on record the legal representatives of the deceased sole appellant as petitioners 2 to 5 and 3rd respondent in the above appeal in S.A.No.1464 of 2011.

2. Learned counsel for the petitioners has filed a memo dated 09.07.2024, seeking to bring on record the legal representatives of the deceased sole appellant. While being so, the 3rd petitioner, viz., Kgangarathinam, who is the legal heir of the deceased sole appellant, S.Krishnasamy, died on 23.11.2023. The legal representatives of the said deceased, 3rd petitioner, K.Gangarathinam are already on record in the above Civil Miscellaneous Petitions as Petitioners 2, 4 and 5 and as 3rd respondent.

3. The above memo filed by the petitioners was taken on record.



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4. The respondents have no objection in allowing the above petitions.
5. Having regard to the averments made in the affidavit filed in support of the petition to condone the delay, this Court is convinced that petitioners have given satisfactory reasons to condone the delay.
6. Since the relationship of the parties and the facts are not in dispute, the above Civil Miscellaneous Petitions are **ordered**.
7. Registry is directed to carry out necessary amendment and post the second appeal after three weeks.

16.08.2024

cda

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