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C.M.P.Nos.17943,17949,17953 to 1795
17957,17959 & 17960 of 20



C.M.P. Nos.17943, 17949, 17953 to 17955,
17957, 17959 & 17960 of 2024
in
S.A.No.477 of 2011

N.SENTHILKUMAR, J

All these Civil Miscellaneous Petitions are filed to restore C.M.P.Nos.26999, 26995, 26993, 26987, 26994, 26984, 26988 & 26982 of 2023 in S.A.No.477 of 2011 respectively which were dismissed for default on the ground of non-prosecution on 24.06.2024.

2. Mr.Y.Jyothish Chander, learned counsel for the respondents 3, 4 and 6 appeared through video-conference and submits that the legal heirs of the 7th respondent were not brought on record. However, Mr.K.Nagarajan, learned counsel for the petitioners submits that even prior to legal heirs applications are allowed, the Second Appeal was dismissed for non-prosecution.



N.SENTHILKUMAR, J

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3. The learned counsel for the petitioners has given sufficient reasons for his non-appearance on the date of dismissal i.e., 24.06.2024. This Court is convinced on the reasons given by the petitioners' counsel and hence, all the Civil Miscellaneous Petitions are allowed and C.M.P.Nos.26999, 26995, 26993, 26987, 26994, 26984, 26988 & 26982 of 2023 in S.A.No.477 of 2011 are restored to file, subject to the condition that the legal heirs of the deceased 7th respondent are brought on record.

4. Registry is directed to restore C.M.P.Nos.26999, 26995, 26993, 26987, 26994, 26984, 26988 & 26982 of 2023 in S.A.No.477 of 2011 to the file and list the matter after two weeks.

12.09.2024

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