



C.M.P.Nos.16795, 16800 & 16803 of 2023
in S.A.No.870 of 2005

G.ARUL MURUGAN, J.

It is submitted that the sole appellant in the appeal died.

2.C.M.P.Nos.16795, 16800 & 16803 of 2023 are filed to condone the delay of 2368 days in filing the petition to set aside the abatement, to set aside the abatement and to substitute the legal representatives of the sole appellant.

3.Learned counsel for the respondent is present and submits that they have no serious objection in ordering these petitions.

4.Perused the affidavits filed in support of these petitions and the petitioners have stated that their father is the sole appellant who suddenly died due to heart attack on 26.08.2016 subsequently their mother also died. The petitioners were not aware of the pendency of the appeal, only when the petitions were served to them in the connected case, they came to know about the litigation.

5.Being satisfied with the reasons stated in the affidavits filed in support of these petitions, the Civil Miscellaneous Petitions are ordered.

6.Registry is directed to carry out the necessary amendment and post the Second Appeal on 26.02.2024.

30.01.2024

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