



CMP. Nos.15903, 15905 & 15908 of 2024

in

CRP. No.3843 of 2017

and CMP. No.17944 of 2017

P.B.BALAJI, J.,

The Applications have been filed to condone delay of 2163 days in setting the abatement caused due to the death of the sole petitioner to set aside abatement and to bring on record the Legal Heirs of the deceased sole petitioner viz., D.Chockalingam in the above mentioned Civil Revision Petition.

2. I have heard Mr.T.P.Prabakaran, learned counsel for the petitioner and Mr.K.V.Anathakrushnan, learned counsel for the respondents.

3. The learned counsel for the petitioner would submit that only when the Civil Revision Petition was listed before this Court, the learned counsel for the petitioner contacted the lower Court Counsel and he came to know the death of the petitioner even as early as on 13.04.2018 leaving behind the present petitioners 1 to 4 as surviving legal heirs and therefore, the delay has occasioned in taking out appropriate Applications to set aside the abatement and to implead the proposed petitioners as the Revision Petitioners in the Civil Revision Petition.

P.B.BALAJI, J.,



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Mr.K.V.Anathakrushnan, would submit that absolutely no reasons have been assigned for the huge delay of 2163 days and the affidavit is not only vague and also bald. He therefore, pray for the above Applications to be dismissed.

5. I have carefully considered the rival submissions advanced by the learned counsel on either side.

6. Admittedly, the Revision Petitioner's death is way back in 2018 and the Proceedings are pertaining to Execution Proceedings. On a perusal of the affidavit filed in support of the above Applications seeking condonation of delay and set aside the abatement to bring on record the legal heirs of the sole deceased revision petitioner, I do not find even a solitary reason for the huge and inordinate delay and no reasons have been assigned, leave alone, satisfactory reasons. I see no merits in these Applications and consequently all the Applications are dismissed.

25.09.2024
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rkp