



C.M.P. No.19583 of 2024

in

S.A. No.599 of 2012

K. RAJASEKAR, J.

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This Civil Miscellaneous Petition has been filed by the petitioners herein seeking to condone the delay of 752 days in filing the set aside abatement petition caused due to death of the first appellant/ Nagammal in S.A. No.599 of 2012.

2. The learned counsel for the appellant submits that the first appellant in S.A. No.599 of 2012 was died on 24.03.2020, leaving behind Mrs. Sivagami and Mr.Vinothkumar as her legal heirs. He further submitted that only recently, he came to know about the death of the first appellant, only when he had informed the second appellant herein about the listing of the case on 20.12.2023, hence there is a delay in filing the petition. Therefore, he prayed to condone the delay of 752 days in seeking to set aside the abatement caused by the death of the first appellant.

3. The learned counsel appearing for the respondents raised no objections.

4. Heard the learned counsels on both sides and considering the reasons stated in the affidavit filed in support of this petition, the aforesaid delay of 752 days is condoned. Registry is directed to carryout necessary amendment.

5. Accordingly, this Civil Miscellaneous Petition is ordered.

12.09.2024

(1/3)

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