



C.M.P. No.19578 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 29 days in filing the set aside abatement petition caused due to death of the second respondent/ J. Harikrishnan in S.A. No.599 of 2012.

2. The learned counsel for the appellant submits that the second respondent in S.A. No.599 of 2012 was died on 22.02.2024, leaving behind Divya, S. Ramya, S. Gayathri and J. Santha as his legal heirs. He further submitted that only recently, they came to know about the death of the second respondent only after perusing the memo dated 20.04.2024 filed by the learned counsel for the deceased second respondent, hence there is a delay in filing the petition. Therefore, he prayed to condone the delay of 29 days in seeking to set aside the abatement caused by the death of the second respondent.

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 29 days is condoned. Registry is directed to carryout necessary amendment.

5. Accordingly, this Civil Miscellaneous Petition is ordered.

12.09.2024

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