



C.M.P. No.19918 of 2024

in

S.A. No.1178 of 2012

WEB C **K. RAJASEKAR, J.**

This Civil Miscellaneous Petition has been filed by the petitioners herein seeking to condone the delay of 762 days in filing the set aside abatement petition caused due to death of the sole respondent/ Rajammal in S.A. No.1178 of 2012.

2. The learned counsel for the appellant submits that the sole respondent in S.A. No.1178 of 2012 was died on 10.06.2021, leaving behind Lakshmi, Saragaal, Kamala and Thiyagarajan as her legal heirs. He further submitted that only recently, they came to know about the death of the sole respondent and there is a delay in obtaining the Legal Heir particulars of the sole respondent, hence there is a delay in filing the petition. Therefore, he prayed to condone the delay of 762 days in seeking to set aside the abatement caused by the death of the sole 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 762 days is condoned. Registry is directed to carryout necessary amendment.

5. Accordingly, this Civil Miscellaneous Petition is ordered.

09.09.2024

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