



C.M.P. Nos.21061 and 21069 of 2019
in
S.A. No.1204 of 2012

K. RAJASEKAR, J.

These Civil Miscellaneous Petitions have been filed by the petitioners seeking to condone the delay of 491 days in filing the set aside abatement petition caused due to death of the 1st and 2nd appellants in S.A.No.1204 of 2012.

2. The learned counsel appearing for the appellants submits that the 1st appellant/ Jayaraman died on 21.02.2018 and the 2nd appellant/ Dhandapani died on 17.12.2017, leaving surviving petitioners in these petitions as their Legal representatives. He further submits that the deceased appellants were handling the case and after their death, when the counsel on record contacted the petitioners regarding the case, the petitioners have informed him about the death of the 1st and 2nd appellants, hence there is a delay in filing the petitions. Therefore, he prayed to condone the delay of 491 days in seeking to set aside the abatement caused by the death of the 1st and 2nd appellants.

3. The learned counsel appearing for the respondents raised his objections.

4. Heard the learned counsels on both sides and considering the reasons stated in the affidavit filed in support of these petitions, the aforesaid delay of 491 days is condoned. Registry is directed to carryout necessary amendment.

5. Accordingly, these Civil Miscellaneous Petitions are ordered.

19.08.2024

(1/3)

stn



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