



CMP Nos.9392, 9404 and 9406 of 2022
in AS No.783 of 2009

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R.SUBRAMANIAN, J.
and
R.SAKTHIVEL, J.

(Order of the Court was made by R.SUBRAMANIAN, J.)

These petitions have been filed by the legal representatives of the second respondent in the Appeal seeking condonation of delay of 2744 days in seeking to set aside the abatement caused by the death of the second respondent P.Rangasamay, to set aside the abatement and to bring on record the petitioners herein as the legal representatives of the deceased second respondent and ranked them as respondents 18 and 19 in the Appeal.

2. Though the delay is very long, considering the fact that the appellants have not taken any steps to bring on record the LR's of the second respondent and considering the reasons assigned in the affidavit filed in support of these petitions, we are of the considered opinion that the delay should be condoned and the petitioners should be given an opportunity to contest the Appeal on merits.



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3. Hence the delay in seeking to set aside the abatement is condoned, the abatement caused by the death of the second respondent is set aside, the petitioners 1 and 2 are brought on record as the legal representatives of the deceased second respondent and are arrayed as respondents 18 and 19 in the Appeal.

4. The Registry is directed to carry out the necessary amendment in the Appeal.

[R.S.M., J.] [R.S.V., J.]
04.06.2024

jv

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