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CMP No. 12965 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-03-2025

CORAM

THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

**CMP No. 12965 of 2024, CMP NO. 12967 OF 2024 &
CMP NO. 12968 OF 2024
AND
SA SR NO. 77039 OF 2016**

S.Agila

Appellant(s)

Vs

T.Jogi (died)
1. T.Bellam
and 5 others

Respondent(s)

PRAYER

To condone the delay of 1134 days in filing the Petition to set aside the abatement caused due to the death of the 1st Respondent in SA SR No.77039/2016, to set aside the abatement and to bring on record the proposed respondents 5 to 7

For Appellant(s): Mr. L.Palanimuthu

For Respondent(s): Mr. S. Kadarkarai for R1 to R6

**ORDER**

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Earlier, this court by an order dated 19.02.2025 allowed the petition in CMP No. 12965 of 2024 with the cost of Rs.3000/- payable to the contesting respondents. However, due to inadvertence, the prayer in the said petition was mentioned as 1134 days in filing the above SA SR No.77039 of 2016.

2. Today, when the matters taken up for hearing, learned counsel for petitioner appeared and clarified that the above petitions in C.M.P.Nos.12965, 12967 and 12968 of 2024 have been filed seeking to condone the delay of 1134 days in filing the petition to set aside the abatement, to set aside the abatement caused due to the death of 1st respondent, and to bring on record the proposed respondents 5 to 7 herein as legal representatives of deceased 1st respondent respectively. Accordingly, on considering his submissions, the said petitions were allowed. However, as per the earlier order of this Court by an order dated 19.02.2025 allowing the above petitions on payment of cost of Rs.3000/- payable to contesting respondents, the learned counsel for appellant filed a cost memo for tendering cost of Rs.3000/- and the same is recorded.

3. Registry is directed to number the Second Appeal if it is otherwise found to be in order and post the matter on 03.04.2025.

07-03-2025

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T.V.THAMILSELVI J.

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AND CMP NO. 12967 OF
2024, CMP NO. 12968 OF
2024
and
SA SR NO. 77039 OF 2016,**

07-03-2025