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A.Nos.1180, 1181 & 1182 of 2025 in
C.S.No.306 of 2007

C.V.KARTHIKEYAN, J.

All these applications have been filed to condone the delay of 457 days in seeking to set aside the abatement caused due to the death of the sole defendant, P.V.Ekambaram; to set aside the abatement caused due to the death of the sole defendant and to bring on record the respondents 1 to 3 as the respondents 2 to 4 in the above application in A.No.172 of 2025.

2. Heard the learned counsel for the applicant. There is a representation on behalf of the legal heirs of the deceased defendant and the learned counsel states that he is hopeful that he would be entering appearance on behalf of the proposed respondents.

3. The suit has been filed for mortgage. There was a delay in proceedings with the preliminary decree granted, not only owing to the death of the defendant and also owing to the fact that the property was brought under acquisition by the Government. It is learnt that the acquisition proceedings had been dropped and the property had been released from acquisition and it is now open to the plaintiff to proceed further on the mortgage and decree. Since the legal heirs would be directly affected, if any steps have been taken, I would allow these applications. Accordingly, these applications are allowed.



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4. Call the matter on 13.08.2025.

5. Any one of the legal heirs may file an affidavit with respect to the release of the property from the acquisition proceedings.

6. The Registry to carry out the necessary amendment in the cause title on or before 13.08.2025. The Registry may print the name of the learned counsel who files vakalat on behalf of the newly impleaded parties.

29.07.2025

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