



CMP Nos.7488, 7491 and 7492 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **01-08-2025**

CORAM

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

CMP Nos.7488, 7491 and 7492 of 2023

in SA No.299 of 2009

Kandasamy
S/o. Late.Karumana Gounder, Rayapalayam,
Nasiyanur Post, Erode Dist.

Petitioner in all petitions

Vs

Pavayammal (died)
(Died) and 6 Others

Respondents in all petitions

For Petitioner (s):

Mr.N.Manoharan

For Respondent(s):

Mr.S.Kaithamalaikumaran
For R3 to R5

COMMON ORDER

These three applications have been filed consequent to the death of the second respondent, to bring on record the legal representatives. Unfortunately, there has been a delay in filing the application.

2. The applications have been filed to condone the delay in filing the petition to set aside abatement caused due to the death of the second respondent, to set aside abatement and to bring on record his legal representatives as further respondents.



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vum

3. Notice had been directed and the counsel had entered appearance for the proposed respondents.

4. The learned counsel had raised an objection stating that the delay had not been properly explained.

5. However, taking into consideration the facts and circumstances of the case, particularly, since the Second Appeal had been admitted and the substantial question of law had been framed and a duty casts on the Court to answer the substantial question of law, these applications are allowed and the delay in filing the application to set aside abatement stands condoned. The abatement is set aside and the legal representatives as stated in the applications are brought on record as further respondents in the second appeal.

01-08-2025

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To

The Principal District Munsif, Erode.

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