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C.M.P. Nos.9681, 9686 & 9689 of 2025
in C.M.P.No.28982 of 2024 in
S.A.SR. No.137560 of 2024

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T.V. THAMILSELVI, J.

These Civil Miscellaneous Petitions have been filed seeking to condone the delay of 191 days in filing the petition to set aside the abatement, to set aside the abatement caused due to the death of 4th respondent, and to bring on record the proposed 7th respondent herein as legal representatives of deceased 4th respondent.

2. Mr.P.Navaneetha Krishnan, learned counsel for petitioners/appellants submitted that pending appeal, 4th respondent died on 10.05.2024. He would submit that the petitioner came to know about her death only on return of private notice sent to her and it is not due to any willful negligence on his part. However, the delay of 191 days arose and the delay is neither willful nor wanton. Hence, he has filed the above petitions.

3. 4. Mr.Sam Jayaraj Houston, learned counsel for respondents 1, 2, 5 and 6 appeared and raised strong objections stating that no sufficient reason stated for the said delay.



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4. On considering the facts and circumstances and being satisfied with the reasons assigned in the affidavit, all the petitions are allowed. The proposed legal representatives of the 4th respondent is impleaded as 9th respondent in the above Second Appeal. The Registry is directed to carry out the necessary amendment in the cause title and post the matter on 03.07.2025.

28.04.2025

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