



C.M.P. Nos.11178, 11179 & 11180 of 2025
in S.A.No.360 of 2024

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in
S.A. No. 360 of 2024

T.V. THAMILSELVI, J.

These Civil Miscellaneous Petitions have been filed seeking to condone the delay of 1427 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 26th respondent herein as legal representatives of deceased 4th respondent.

2. Mr.C.Prabakaran, learned counsel for petitioners/appellants submitted that pending appeal, 4th respondent died on 04.01.2021. He would submit that due to age old ailments, the petitioners were not able to attend any of ceremonies in their family. While pendency of first appeal, the 4th respondent died, but inadvertently his legal heirs were not brought on record as parties to Appeal Suit. Moreover, they were not aware of his legal heirs. Only based on the memo filed by respondents' counsel along with details of legal heirs, they have filed these petitions and it is not due to any willful negligence on their part. Hence, there is a delay of 1427 days arose and the delay is neither willful nor wanton. Accordingly, they have filed the above petitions.



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3. 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 25th 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 08.07.2025.

30.04.2025

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C.M.P.Nos. 11178, 11179 & 11180 of 2025
in
S.A. No. 360 of 2024

30.04.2025
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