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C.M.P.(MD)Nos.12613, 12615 & 12616 of 2025
in
A.S(MD)No.116 of 2013

C.V.KARTHIKEYAN, J.
and
R.VIJAYAKUMAR, J.

(Order of the Court was made by **C.V.KARTHIKEYAN, J.**)

These three applications have been filed relating to the death of the fourth respondent to condone the delay of 2220 days in filing the petition to set aside the abatement caused, to set aside the abatement and to bring on record the legal representatives.

2. Notice had been directed to the said respondents. Proof of service had been filed. Private notice had been served. Names were directed to be printed in the cause list and the names were printed in the cause list.

3. In the affidavit filed, it had been stated that death of the fourth respondent was brought to the notice to the counsel on 03.01.2016 and thereafter, necessary steps had been taken to file an application. For all these reasons, delay had been occurred.



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4. These applications have been filed to condone the delay, set aside abatement and to bring on record the legal representatives of the fourth respondent.

5. It is also seen from the records that the suit had been filed seeking partition and separate possession of the suit properties. Necessarily, all the legal representatives will have to participate in the appeal suit.

6. Considering all these factors, these petitions are allowed. Registry is directed to carry out the necessary amendment to note the death of the fourth respondent and to bringing on record the respondents 7 to 9 as legal representatives of the deceased fourth respondent and rank them as respondents 8 to 10.

[C.V.K., J.] [R.V., J.]

14.10.2025

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C.V.KARTHIKEYAN, J.

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R.VIJAYAKUMAR, J.

Issue notice to the newly
impleaded proposed respondents
through Court and also privately
returnable by 10.11.2025.

[C.V.K., J.] [R.V., J.]

14.10.2025

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