



WEB COPY



C.M.P.(MD)Nos.17957 to 17959 of 2025
in
A.S(MD)No.160 of 2018

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 condone the delay of 1119 days in filing the petition to set aside the abatement caused due to the death of the first appellant, to set aside the abatement and to bring on record the legal representatives.

2.The learned counsel for the respondents requested time to file a counter.

3.Counter had been filed. It had been stated in the counter that sufficient cause for condonation of delay has not been stated.

4. It is stated by the learned counsel for the petitioners that the first appellant was not represented and if the appeal stands abated, the case of the present petitioners would also be affected and therefore, the learned counsel prayed that abatement may be set aside.



5. In view of the fact that necessarily all the legal representatives will have to participate in the appeal suit, we would condone the delay and set aside the abatement. These petitions are allowed. Registry is directed to carry out the necessary amendment to note the death of the first appellant and to bring on record legal representatives of the deceased first appellant as the respondents 10 to 12.

6. Post the main appeal in usual course.

[C.V.K., J.]

[R.V., J.]

19.11.2025

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