



CMP Nos.7986, 7993 & 7997 of 2026 in
AS No.44 of 2023

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C.V.KARTHIKEYAN, J.
and
K.RAJASEKAR, J.

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

These petitions have been filed consequent to the death of the fifth appellant to condone the delay of 293 days in setting aside the abatement, to set aside the abatement and to bring on record his legal heirs - petitioners 6 to 8 as appellants 6 to 8 in the above appeal.

2.Mr.R.Thiagarajan, learned counsel for the first respondent stated that though the suit had been filed on a mortgage, even on the strength of the decree, they were not able to recover the amount from the appellants herein. The learned counsel expressed his grievance that the appellants are protracting the issue further.

3.At any rate, it would only be appropriate the legal heirs are brought on record to answer the suit claim. Taking that view into consideration, we would allow all these three petitions. Registry to carry out necessary amendment in the appeal suit noting the death of fifth appellant and bring on record petitioners 6 to 8 as appellants 6 to 8 in the above appeal.

sli

(C.V.K.J.,) (K.R.S.J.,)
19.06.2026



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