



C.M.P.Nos.21715, 21716 and
21720 of 2023 in S.A.No.133 of 2021

C.M.P.Nos.21715, 21716 and 21720 of 2023
in S.A.No.133 of 2021

S.SOUNTHAR.J.,

C.M.P.No.21715 of 2023 has been filed to condone the delay of 2341 days in filing the application to set aside the abatement caused due to the death of 6th appellant namely G.Thirumoorhty.

2. C.M.P.No.21716 of 2023 has been filed to set aside the abatement caused due to the death of 6th appellant namely G.Thirumoorthy.

3. C.M.P.No.21720 of 2023 has been filed to bring on record the proposed petitioners 12 to 14 herein as the legal representatives of the deceased G.Thirumoorthy in the above second appeal and rank them as Appellants 12 to 14.

4. A perusal of the affidavit filed in support of condone delay petition would indicate that the 6th appellant-G.Thirumoorthy died only on 01.03.2022 and the present application has been filed on 31.08.2023. Therefore, the delay is only less than 1 ½ years. However, it is wrongly mentioned in the affidavit the delay is 2341 days. The 7th petitioner had averred that immediately after acquiring knowledge about the death of 6th appellant, he contacted his counsel and instructed him to take steps.



WEB COPY



C.M.P.Nos.21715, 21716 and
21720 of 2023 in S.A.No.133 of 2021

S.SOUNTHAR, J.

dm

5. Having satisfied with the reasons assigned in the affidavit filed in support of these petitions, C.M.P.Nos.21715, 21716 and 21720 of 2023 are allowed.

6. The Registry is directed to carry out necessary amendment and list the second appeal for hearing on 11.03.2026.

04.03.2026

dm

C.M.P.Nos.21715, 21716 and 21720 of 2023
in S.A.No.133 of 2021