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C.M.P.Nos.4916, 4919 & 4920 of 2022

C.M.P.Nos.4916, 4919 & 4920 of 2022

and

C.M.P.Nos.847, 848 & 849 of 2010

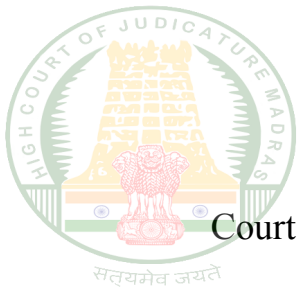
in S.A.No.892 of 2004

**C.V.KARTHIKEYAN, J.**

These three Civil Miscellaneous Applications have been filed, consequent to the death of the 1<sup>st</sup> respondent viz., Nachimuthu Gounder, to condone delay in filing applications to set aside abatement, to set aside abatement and to bring on record 3<sup>rd</sup> and 4<sup>th</sup> respondents as legal representatives of the deceased Nachimuthu Gounder and to show them as 4<sup>th</sup> and 5<sup>th</sup> respondents in the Second Appeal.

2.In the affidavit filed in support of these applications, it had been stated that the 1<sup>st</sup> respondent Nachimuthu Gounder was living in a different village far away from the native village and therefore his death was not informed. It had been stated that there was a delay in filing application to bring on record the legal representatives and since the appeal had abated to file application to set side abatement.

3.In view of the fact that the Second Appeal had been admitted and substantial questions of law had been framed, it is only appropriate that the



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Court answers the said substantial questions of law.

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4.These Civil Miscellaneous Applications are therefore allowed.

5.Registry may carry out necessary amendments in the cause title with respect to the death of the 1<sup>st</sup> respondent Nachimuthu Gounder and bring on record his legal representatives as shown in the aforementioned CMPs.

15.07.2022  
(3/3)

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C.M.P.Nos.847, 848 & 849 of 2010  
in S.A.No.892 of 2004