SECTION – XII
IN THE SUPREME COURT OF INDIA
CIVIL APPEALLATE JURISDICTION

<u>PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL) No. 35520 OF 2013</u>

The State of Tamil Nadu & Ors.   ...Petitioners

Versus

Pon. Elangovan & Ors.   ...Respondents

OFFICE REPORT

The matter above-mentioned was listed before the Ld. Registrar's Court on 9th July, 2014, when the following order was passed:-

> **"The learned counsel for the petitioner to file an application for substitution to bring on record the legal representatives of the deceased respondent No. 11.**
> **Process fee, spare copies and complete address with regard the unserved respondents be also furnished within two weeks.**
> **List again on 11.9.2014."**

It is submitted that in terms of the order quoted above Mr. B. Balaji, Advocate has on 21st July, 2014 filed an application for substitution for bringing on record the legal representatives of deceased respondent No. 11 but the same is defective for the following reasons:

1. Application for condonation of delay has not been filed.

2. Application for setting aside abatement has not been filed.

3. There is no mention that no other survivor of the legal representatives of the deceased respondents.

…..2/-

4. Notice of Motion with regard to the legal
   representatives to be taken out.

5. The name of the deceased Respondent No. 11
   in Death Certificate is S. Murugesan instead
   of C. Murugesan.

It is further submitted that in compliance to the above quoted order Mr. B. Balaji, Advocate has filed the complete and fresh address of the unserved respondent but he has not filed spare copies so far.

Service of notice is incomplete in respect of respondent Nos. 9, 14, 16, 21 and 53.

The matter above-mentioned is listed before the Ld. Registrar's Court with this office report.

Dated this, the 10th day of September, 2014.

ASSISTANT REGISTRAR

Copy to:- Mr. B. Balaji, Advocate
         Mr. L. K. Pandey, Advocate
         Mr. Shakun Sharma, Advocate
         Mr. Anil Kumar Mishra, Advocate

ASSISTANT REGISTRAR

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