

Heard both sides.

This petition is filed by the petitioners/ proposed parties to set aside the abatement against the deceased 1st appellant. Their contention is that they have failed to intimate the death of the 1st appellant to their counsel and hence delay caused in filing the impleading petition. This court is of the considered view that, the reason stated by the petitioners are convincing and hence the petition has to be allowed. Further no prejudice will be caused to the respondents, if this petition is allowed.

In the result the petition is allowed and abatement against 1st appellant is set aside.

**Additional District And Sessions Judge,
Periyakulam.**

AFT

CNR.NO.TNTH09 000081 2020

IA.No.06/2025

- in -

AS.No.15/2020

Order pronounced.
Dated 15.04.2025.

This petition is filed by the petitioners/proposed parties 1 to 4 stating that the 1st appellant Sivalingam died on 09.11.2024 and the petitioners/proposed parties are the only legal heirs of deceased 1st appellant and since they failed to intimate the death of the 1st appellant to their counsel, they were not able to file the petition to implead them in the appeal on time and hence this petition to set aside the abatement against the 1st appellant.

The respondent filed counter contending that this petition is filed to drag on proceedings and this petition has been filed with false and vexatious contentions.

The respondent does not have a case that the proposed parties are not the legal heirs of the deceased 1st appellant. Hence, this court of the considered view that the proposed parties/petitioners are to be impleaded as additional appellants and the petition has to be allowed. Further no prejudice will be caused to the respondents, if this petition is allowed.

In the result the petition is allowed and the proposed parties, the legal heirs of deceased 1st appellant are impleaded as appellants 6 to 9.

**Additional District And Sessions Judge,
Periyakulam.**

AFT

CNR.NO.TNTH09 000081 2020

IA.No.07/2025

- in -

AS.No.15/2020

Order pronounced.
Dated 15.04.2025.

This petition is filed by the petitioners/proposed parties 1 to 4 stating that the 1st appellant Sivalingam died on 09.11.2024 and the petitioners/proposed parties are the only legal heirs of deceased 1st appellant and hence this petition to implead them as additional appellants.

The respondent filed counter contending that this petition is filed to drag on proceedings and this petition has been filed with false and vexatious contentions.

Heard both sides.

This petition is filed by the petitioners/proposed parties to implead them as additional appellants as they are the legal heirs of the deceased 1st appellant.