

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2015

CORAM

THE HONOURABLE MS. JUSTICE R.MALA

S.A.No.722 of 1997

Subramanian

...Appellant

Vs

1.Swaminathan (Died)
2.Kalyanasundaram (Died)
3.Sarasa @ Alagammai
4.Sarala Devi
5.Parvathi
6.Muthulakshmi
7.Palanivel
8.Rani
9.Murugesan

...Respondents

(R3 to R4 brought on records as LRs of deceased R1 as per order dated 13.06.2000 in C.M.P.No.7259/1999)

(R5 to R9 brought on record as LRs of the deceased R2 as per order dated 25.06.2014 in C.M.P.No.1642 to 1644 of 2010)

Prayer: Second appeal filed under Section 100 of CPC against the Judgment and Decree dated 04.03.1997 in A.S.No.160 of 1996 and Cross objection on the file of the Principal District Court, Nagapattinam confirming the Judgment and Decree dated 12.01.1996 made in O.S.No.893 of 1993 on the file of the District Munsif Court, Mannargudi.

For Appellant : Mr.S.Viswanthan

For Respondents : Mr.M.V.Venkateshan (For R3 and R4)

Mrs.P.Srividhya (For R5 to R9)

JUDGMENT

The learned counsel appearing for the appellant filed a memo stating that the sole appellant died and he filed a petition to bring his legal heirs on record. The Registry returned the papers for production of legal heir certificate. He has also sent a letter to the son of the deceased Sole appellant calling upon him to produce the Legal Heir Certificate. Even though he received the letter, he has not contacted the learned counsel for the appellant so far. Hence, the appeal may be dismissed as abated.

2. In view of the memo filed by the learned counsel appearing for the appellant, this Second Appeal is dismissed as abated. No costs.

Sd/-
Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

cse

To

1. The Principal District Court,
Nagapattinam.

2. The District Munsif Court,
Mannargudi.

3. The Section Officer,
V.R. Section, High Court, Chennai.

S.A.No.722 of 1997

GGK (CO)
PSI (16.07.2015)

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