

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

A.S.NO.1222 OF 2003

Between:

1. Aremanda Sivanagendramma and one other.

...APPELLANTS

AND

Kongara Narasimha Rao

...RESPONDENT

-
SUBMITTED FOR APPROVAL:

-

-

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

-
- | | |
|--|--------|
| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals? | Yes/No |
| 3. Whether Their Lordship wish to see the
fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

A.S.NO.1222 OF 2003

JUDGMENT:

Learned counsel for the first respondent filed memo dated 31.03.2009 in compliance of Order XXII Rule 10-A of the Code of Civil Procedure ("CPC" for short) disclosing the date of death of the first respondent, Kongara Narasimha Rao, along with details of his legal

heirs with full address particulars. Again the first respondent filed another memo dated 12.11.2014 reporting the same. The respondent also annexed death extract of Kongara Narasimha Rao, who died on 03.01.2009.

Despite information furnished in compliance with Order XXII Rule 10-A CPC, the appellants did not take steps to implead the legal heirs of the deceased-first respondent. Therefore, the appeal is deemed to have been abated by operation of law against the deceased-first respondent, who is the sole respondent.

Accordingly, the appeal is dismissed as abated. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand dismissed.

(M.SATYANARAYANA MURTHY, J)

6th August 2015

RRB