

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 20.10.2016

CORAM

THE HONOURABLE MR.JUSTICE R. SUBRAMANIAN

A.S.No.88 of 2004
and Cross.Obj.No.9/05 & CMP Nos.292 to 294 of 2012

Shanmuga Vadivelu
...Petitioner

..Vs..

- 1.Gandhi
- 2.Minor Siva Krithika, daughter of
Shanmuga Vadively,
By her guardian Gandhi.
3. Sellappa Gounder

..Respondents

Prayer: Appeal filed Under Section 96 of the Code of Civil Procedure against the Judgement and Decree of the Additional District Munsif (Fast Track Court No.III) at Dharapuram dated 25.11.2003 in O.S.No.318 of 1999, FTC.No.7 of 2001.

For petitioner : Ms.Mythili for
M/s.Sarvabhauman Associates
For (R -1 & 2) : Mr.S.C.Palanisamy R1,R2
(R-3) Mr.A.K.Kumarasamy

JUDGMENT

It is reported by the learned counsel for the appellant that the appellant had died on 24.07.2012. It is also seen from the records that the respondents 1 and 2, the plaintiffs in the suit, are his wife and minor daughter. No steps have been taken to bring on record the other legal representative of the deceased appellant.

R. SUBRAMANIAN. J

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2.Ms.Mythili, learned counsel appearing for the appellant would submit that mother of the appellant and the respondents 1 and 2 have settled the matter amicably and they are not interested in prosecuting the appeal and hence, the appeal may be dismissed and the parties are not pursuing the matter.

3.Accordingly, the Appeal is dismissed. Cross objection petition and the miscellaneous petitions also stand dismissed. No costs.

20.10.2016

Index:yes/no

Internet:yes/no

NOTE:Registry is directed to send
back the records to the Trial Court
viz., the Additional District Munsif
(Fast Track Court No.III) at Dharapuram.

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To
The Additional District Munsif (Fast Track Court No.III) ,
Dharapuram.

A.S.No.88 of 2004