

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2017

CORAM

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

S.A.No. 1109 of 2007

1. Pappu
2. Bakkiyam
3. Murugesan

...Appellants

Vs.

Sakkarachettiar

...Respondent

Prayer:- This Second Appeal is filed under Section 100 of Civil Procedure Code against the judgment and decree dated 29.12.2003 passed in A.S.No.10 of 2003 on the file of the Sub Court, Mettur in confirming the judgment and decree dated 28.08.2002 passed in O.S.No.116 of 1996 on the file of the District Munsif-cum-Judicial Magistrate Court, Omalur.

For Appellants : Mr.P.Mani

For Respondent : Mr.P.Jagadeesan

JUDGMENT

The learned counsel appearing for the appellant as well as the learned counsel appearing for the respondent submitted that the first appellant and the sole respondent died and the cause of action does not survives due to their demise and hence the appeal may be dismissed as abated.

2. Recording their submission, the appeal is dismissed as abated. No order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rts

To

1. The Sub ordinate Judge, Mettur
2. The District Munsif-cum-Judicial Magistrate Court, Omalur.

GMI (CO)
md(14/02/2017)

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