

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2017

Coram

The Hon'ble Mr. Justice **M.M.SUNDRESH**

Second Appeal No.29 of 2000
and
C.M.P.No.283 of 2000

1.C.Sadasiva Gounder (dead)
2.M.Thangavelu
3.M.Ayyanam .. Appellants

(Appellants 2 and 3 are brought on record
as L.Rs of the deceased sole appellant vide
order dated 05.08.2005 in C.M.P.No.18556
of 2003)

Vs

1.Amirthalingam
2.A.Thangavel
3.P.Angappa Kandar (died)
4.Chandrasekaran
5.Deivanai Ammal
6.Samiathal
7.Sakunthala
8.A.Palanisamy .. Respondents

(R5 to R8 are brought on record
as L.Rs of the deceased R3 vide
order dated 03.07.2006 in
C.M.P.Nos.4816 to 4818 of 2000)

Second Appeal filed under Section 100 C.P.C. against the judgment and decree dated 12.04.1999 passed in A.S.No.163 of 1997 on the file of the I Additional District Judge cum Chief Judicial Magistrate, Erode, against the judgment and decree dated 17.02.1997 passed in O.S.No.531 of 1993 on the file of the I Additional District Munsif, Erode.

For Appellants	..	Mr.A.K.Kumarasamy
For Respondents	..	Ms.P.T.Asha for M/s.Sarvabhauman Associates for R2

JUDGMENT

When the appeal was taken up for hearing, learned counsel appearing for the appellants submitted that the original appellant is no more. In such view of the matter, the appeal is dismissed as abated. No costs. Consequently, connected miscellaneous petition is closed.

24.01.2017

Index:Yes/No
mmi

Second Appeal No.29 of 2000

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This matter is listed today under the caption 'for being mentioned'.

2.Learned counsel appearing for the appellants submits that the fifth respondent is no more. He also submits that no instructions are forthcoming from the appellants.

3.In such view of the matter, the appeal stands dismissed, however, with liberty to file an appropriate petition, if so advised.

06.02.2017

mmi

To

1. The I Additional District Judge cum Chief Judicial Magistrate,
Erode.

2.The I Additional District Munsif, Erode.

M.M.SUNDRESH, J.

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S.A.No.29 of 2000

06.02.2017

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