

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2017

CORAM

THE HONOURABLE DR. JUSTICE **G. JAYACHANDRAN**

S.A.No. 51 of 2008

1. Pappu
2. P.Murugesan
3. Lakshmi
4. Bakkiyam

...Appellants

Vs.

Balan

...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.9 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.969 of 1996 on the file of the District Munsif-cum-Judicial Magistrate Court, Omalur.

For Appellants : Mr.P.Mani

For Respondent : Mr.T.R.Rajaraman

G. JAYACHANDRAN, J.

rts

JUDGMENT

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

2. Recording his submission, the appeal is dismissed as abated. No costs.

31.01.2017

Index :Yes/No

rts

To

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

S.A.No.51 of 2008

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