

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

SECOND APPEAL No.1208 OF 1999

JUDGMENT:

This Second Appeal is filed by the unsuccessful plaintiffs assailing the decree and judgment dated 25.11.1999 in A.S.No.19 of 1997 on the file of the Court of the Additional Senior Civil Judge, Srikakulam, wherein and whereby the decree and judgment dated 09.09.1996 in O.S.No.45 of 1990 on the file of the Court of the District Munsif at Amadalavalasa, dismissing the suit filed by the plaintiffs for perpetual injunction, was confirmed.

Learned counsel for the appellants submitted that appellant Nos.1 and 2 died and sole respondent also died.

O.S.No.45 of 1990 is filed seeking perpetual injunction against the respondent. In view of death of the sole respondent, no cause of action survives in this second appeal.

Accordingly, the Second Appeal is dismissed as infructuous. There shall be no order as to costs.

Consequently, Miscellaneous Petitions, if any, pending in this Second Appeal shall stand closed.

T.SUNIL CHOWDARY, J

Date: 16.11.2017
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