

**THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY**

**SECOND APPEAL No.1009 OF 2011**

**JUDGMENT:**

This Second Appeal is filed by the unsuccessful plaintiffs assailing the decree and judgment dated 24.01.2011 in A.S.No.59 of 2008 on the file of the Court of the I Additional District Judge, Ongole, reversing the decree and judgment dated 16.04.2008 in O.S.No.442 of 2004 on the file of the Court of the I-Additional Junior Civil Judge, Ongole.

Learned counsel for the appellants submitted that both the appellants died. Learned counsel for the respondents submitted that both the respondents died.

O.S.No.442 of 2004 is filed seeking perpetual injunction against the respondents. In view of death of all the parties, no cause of action survives in this second appeal.

Accordingly, the Second Appeal is dismissed as abated at the admission stage. 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: 01.11.2017  
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