

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2018

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

S.A.No.788 of 1993

Veerappa Mudaliar

..Appellant/Defendant

Versus

1.Sivaprakasa Mudaliar (died) ... Plaintiff

2.Rajan

3.Selvi

4.Kala

5.Bharathi

6.Parameswar @ Kavitha

7.Kumaran

(R2 to R7 are impleaded as
legal representatives of the deceased

sole respondent vide order of Court

dated 21.12.06 made in

C.M.P.No.10649 to 10651/96)

.. Respondents

PRAYER:This Second Appeal has been filed under Section 100 of C.P.C., against the judgment and decree of the learned Additional Subordinate Judge, Cuddalore dated 03.04.1992 in A.S.No.112 of 1991 partially reversing the dismissal of the suit by the judgment and decree of the learned Additional District Munsif, Cuddalore dated 21.2.1989 in O.S.No.114 of 1987 and granting the decree of declaration of title.

For Appellant :: Mr.R.Sunil Kumar

For Respondents :: No appearance

ORDER

A memo dated 06.12.2018 had been filed by the learned counsel for the appellant. The memo reads as follows:-

"The appeal above named was filed against the

judgment and decree dated 03.04.1992 in A.S.No.112 of 1991. Now the appeal is posted for final hearing. When a letter by registered post was sent to appellant to inform the listing of the appeal, the registered post is returned with the endorsement appellant died. In view of the death of the sole appellant we are not in a position to proceed with the appeal without bringing the legal representatives on record. This fact may be recorded and the memo may be taken on file."

2. In view of the above said memo, this appeal is dismissed for non-prosecution. No costs.

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

nvi

To

1. The Additional Subordinate Judge, Cuddalore
2. The Additional District Munsif, Cuddalore
3. The Section Officer, VR Section, High Court, Madras (2 Copies)

S.A.No.788 of 1993

SKV(CO)

GMV(02/01/2019)

सत्यमेव जयते

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