



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 11.10.2018

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Second Appeal.No.836 of 2003

1.Selvan @ Chellamuthu (Died)

2.Thangarasu (Deceased)-deleted
(Vide order of Court dated 07/09/2018)

... Appellants

Vs

1.Ganesan

2.Kullan (Deceased)
(Vide order of Court dated 07/09/2018)

3.Kaliyan ... Respondents

PRAYER: Second Appeal is filed under Section 100 of the Code of Civil Procedure against the Judgement and decree of the Court of the Additional Sessions Judge-cum Fast track Court, Ariyalur in A.S.No.7 of 2002 dated 03.07.2002 in reversing the well considered Judgement and decree in O.S.No.196 of 1992 dated 11.11.1994, on the file of the District Munsif Court, Jayamkondan.

For Appellants : Mr.Avinash Wadhwani

For Respondent 1 & 3 : Mr.M.V.Krishnan

For Respondent 2 : Died

O R D E R

From the record it is seen that on 03.01.2018, the learned counsel for respondents had filed a memo stating that the first appellant died on 08.10.2005 and the second respondent also died on 18.06.2013. On 07.09.2018, the learned counsel for respondents had given a memo giving details of the LRs of the 2nd respondent. However, there has been no steps taken to implead them. Legal heir/representative petition had not been filed in the Court. In the meanwhile, the learned counsel for appellants



had filed a memo on 03.01.2018, stating that the 2nd appellant is not a necessary party and had given him up.

2. Considering the fact that the first appellant died as early as on 08.10.2005 and upto date there has been no steps taken to bring on record the Lrs, this second appeal stands dismissed as abated. There shall be no order as to costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1.The Additional District Sessions Judge,
Fast track Court,
Ariyalur.

2.The District Munsif,
Jayamkondan.

Copy to

The Section Officer,
VR Section,
High Court, Madras.

+1cc to Mr.V.Raghavachari, Advocate Sr.70827

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srg 18/12/2018