

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2018
CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

S.A.No.1723 of 2000

G.G.Balasamy

... Appellant/1st Defendant

Vs.

1.G.B.Srinivasan
2.D.Srilakshmi
3.S.Vijayalakshmi

(Kamalammal D2 in Accused and 2nd appellant in the lower appellate court died on 18/04/20000 after the Judgment and decree of Lower Appellate court and hence deleted)

(No relief is sought for against 2 and 3 in the above second appeal and notice to therein may be dispensed with & no notice is necessary.)

... Respondents/Plaintiff/Defendant 3 and 4

Prayer: Second Appeal filed under Section 100 of C.P.C. against the judgment and decree passed in A.S.No.20 of 1998 on the file of II Additional District Judge, Erode, dated 15.07.1999 confirming the judgment and decree passed in O.S.No.40 of 1991 on the file of Subordinate Judge, Gobichettipalayam, dated 24.06.1996.

For Appellant : Mr.R.Nandakumar

For Respondents: R1 - No Appearance

R2 & R3 - Given Up
vide Batta SR63198

J U D G M E N T

The learned counsel appearing for the appellant submitted that he has sent letter through RPAD to the appellant for getting instructions and the said letter returned with the postal endorsement 'deceased'. However, the legal representatives of the deceased sole appellant has not come

forward to implead themselves in the appeal for prosecuting the case. In view of the above, the second appeal is dismissed as abated. No costs.

Sd/-
Assistant Registrar (CS VI)

//True copy//

Sub Assistant Registrar

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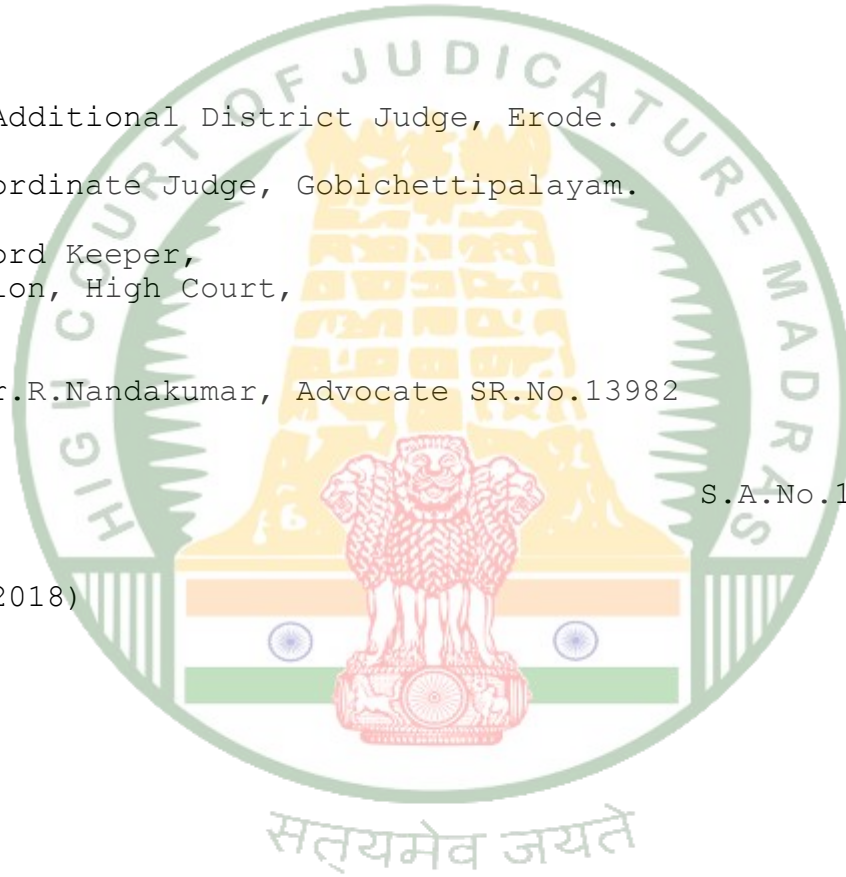
To

- 1.The II Additional District Judge, Erode.
- 2.The Subordinate Judge, Gobichettipalayam.
- 3.The Record Keeper,
VR Section, High Court,
Madras.

+1cc to Mr.R.Nandakumar, Advocate SR.No.13982

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AK (CO)
GN(15/03/2018)



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