

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2018

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

S.A.No. 776 of 2000
and
C.M.P.Nos.161 & 162 of 2013

1.K.K.Arumuga Mudaliar(Died)
Represented by his Power of Attorney
K.A.Appasamy
S/o.K.K.Arumuga Mudaliar,
Kolathur Village, Mettur Taluk,
Salem District.
2.Kandayammal
3.K.A.Marimuthu
4.K.A.Appasamy
5.K.A.Murugan
6.K.A.Balasubramanian
7.Palaniammal
8.K.A.Angappan
(Appellants 2 to 8 brought on record as
LRs of the deceased sole appellant vide
Order of Court dated 07.03.2013 made
in C.M.P.Nos.160 to 162/13 in
S.A.No.776 of 2000.Appellants /Plaintiffs

Vs

- 1.The Superintending Engineer,
Public Works Department,
Dharmapuri-Salem Circle,
Salem.
- 2.The Executive Engineer,
Public Works Department,
Dharmapuri.
- 3.State: Represented by the
District Collector,DharmapuriRespondents/Defendants

PRAYER:Second Appeal filed under Section 100 of C.P.C, against
the Decree and Judgment made in A.S.No.93/99 dated 09.02.2000 on
the file of the Dharmapuri District Principal District Court at
Krishnagiri, reversing the Decree and Judgment made in
O.S.No.529/85 dated 25.01.1999 on the file of the District
Munsif Court at Krishnagiri.

For Appellants : Mr.V.Elangovan
For Respondents : Mr.S.Jayanathan (CS)
Government Advocate

JUDGMENT

The learned Counsel for the appellants reported no instructions. Originally one appellant has filed the above appeal. Subsequently he died and hence, his LRs have been impleaded as appellants 2 to 8. Thereafter, the appellants 2 to 4 also died. Already the appeal was dismissed as against the appellants 2 to 4 as abated.

2. In view of the endorsement made by the learned counsel for the appellants today, the remaining appellants 5 to 8 are called absent. Hence, the appeal is dismissed for default as against the appellants 5 to 8 also. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

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1. The Principal District Court, Krishnagiri.
2. The District Munsif Court, Krishnagiri.

+ 1 cc to Mr. the Government Pleader Sr.50036

सत्यमेव जयते

S.A.No. 776 of 2000
and
C.M.P.Nos.161 & 162 of 2013

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GP (CO)
EU (14/08/2018)