

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:29.06.2018

CORAM:

THE HON'BLE MR.JUSTICE T.RAVINDRAN

S.A.No.1487 of 2004

Marappan

...Appellant/Defendant No.1

Vs.

1.Palanisamy

2.Natarajan

3.Chinnasamy

4.Ranga Naicker,

5.Thimmanaicker

6.The State of Tamil Nadu,
Rep. By its District Collector,
Erode District,
Collectorate,
Perundurai Raod,
Erode - 11.

7.The Tahsildar,
Perundurai.

...Respondents/Plaintiffs 2 to 6 &
Defendant 2 & 3

Prayer: Second Appeal filed under Section 100 of C.P.C.,
against the decree and judgment dated 27.10.2003 made in
A.S.No.33 of 2003 on the file of the Principal District Court,
Erode, confirming the judgment and decree dated 27.01.2003 made
in O.S.No.160 of 2000 on the file of the District Munsif cum
Judicial Magistrate, Perundurai.

For Appellant

: Mr.N.Manokakran

For RR1 to R5

: Mr.J.Prithivi
for M/s. S.Kaithamalai Kumaran

For R6 and R7

:Mr.S.Jagannathan, GA (CS)

J U D G M E N T

Both Counsel present.

2. On seeing the notes paper, it is found that the sole appellant had died and the matter had been reported to the Court on 04.12.2013 itself and despite the indulgence shown by the Court for enabling the appellant to take steps with reference to the same, till date, no steps have been taken to bring the LRs of the deceased appellant on record and proceed with the Second Appeal diligently. In such view of the matter, there is no purpose in keeping this Second Appeal further pending.

3. In the light of the above position, further time sought for by the appellant to take steps to bring the LR's of the deceased appellant on record is declined.

4. Resultantly, the second appeal is dismissed as abated. No costs. Consequently, connected miscellaneous petition, if any, is closed.

Sd/-

Assistant Registrar (CS-CCC)

//True Copy//

Sub Assistant Registrar

To

1. The Principal District Judge,
Principal District Court,
Erode.

2. The District Munsif cum Judicial Magistrate,
District Munsif cum Judicial Magistrate,
Perundurai.

Copy to

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

RJ(CO)
sm:16.7.2018

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