



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2018

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR**

A.S (MD) No.69 of 2011

and

M.P.No.1 of 2011

M.Kalyani Thevar

: Appellant/1st defendant

**Vs.**

1.M.K.Marudhupandian @ Vijayapandian

2.M.K.Thirumalai Vasan @ Thirumalai Karthik

3.M.K.Ramasamy @ Ram Prabu

4.L.I.C.Housing Finance Ltd.,

Represented through its Area Manager,

Spencer Building,

North Veli Street, Madurai - 1.

5.Minor M.Vindhiya

(Minor represented through her guardian the  
maternal grand father P.V.Veluchamy)

: Respondents/Plaintiffs & Defendants 2 to 4

**PRAYER:** Appeal Suit is filed under Section 96 of the Code of Civil Procedure against the Judgment and Decree dated 24.06.2009, rendered in O.S.No.502 of 2004, on the file of the learned Additional District and Sessions Court, Fast Track Court No.III, Madurai.

For Appellant

: Mr.R.Venkatesan

For Respondent No.1

: Mr.V.Malaiyendran

For Respondent Nos.2 to 4

: No Appearance

For Respondent No.5

: Mr.N.Vallinayagam

### **JUDGMENT**

The learned Counsel for the appellant submitted that the sole appellant died long back and hence, the appeal suit is abated.



2. Recording the statement made by the learned Counsel appearing on behalf of the appellant, the Appeal Suit is dismissed as abated. No costs. Consequently, the connected Miscellaneous Petition is closed.

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Sd/-  
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

**To**

The Additional District and Sessions Court,  
Fast Track Court No.III,  
Madurai.

+ 1 CC TO Mr.V.MALAIYENDRAN, ADVOCATE IN SR No. 51243

RM

TE/JC/SAR-4 : 07/03/2018 : 2P/3C

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M.P.No.1 of 2011  
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