

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2019

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

SA.No.1603 of 1997

A.Palanisamy

..Plaintiff/Appellant/Appellant

Vs.

1.Saraswathi Ammal

2.Subramaniam

3.Kotteeswaran

4.Jaya

5.Natarajan

6.Kadirvel

7.Santha

8.Muthiyalu Chettiar

..Respondents

PRAYER:

The Second Appeal is filed under Section 100 of CPC against the judgment and decree dated 30.03.1995 made in AS.No.5 of 1988, on the file of Additional Subordinate Judge(Incharge) (Prl.Sub-Judge), Salem confirming the judgment and decree dated 31.01.1986 made in OS.No.1053 of 1979 passed by the Principal District Munsiff, Salem.

For Appellant
For Respondents

: M/s.P.T.Ramadevi

For R1 to R4
and R6 to R8

: Notice served

For R5

: No ready in notice

JUDGMENT

This second appeal is filed against the judgment and decree dated 30.03.1995 made in AS.No.5 of 1988, on the file of Additional Subordinate Judge(Incharge) (Prl.Sub-Judge), Salem confirming the judgment and decree dated 31.01.1986 made in OS.No.1053 of 1979 passed by the Principal District Munsiff, Salem.

2. The learned counsel for the appellant submitted that the sole appellant died.

3. It is seen that even though the sole appellant died, the legal heirs of the sole appellant have not taken any step to bring themselves on record, which shows that they are not interested in proceed with the second appeal. As such, this second appeal is liable to be dismissed as abated.

4. Accordingly, this 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 learned Additional Subordinate Judge
(Incharge) (Prl.Sub-Judge),
Salem

2.The learned Principal District Munsiff,
Salem.

3. The Section Officer,
V.R Section,
High Court, Madras

SA.No.1603 of 1997

pvs(co)
nr 12/02/2020

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