

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2019

CORAM

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

SA.No.52 of 1999

Munia Moopan

... Appellant/1st Defendant

Vs.

1.Thangamuthu

...R1/Plaintiff

2.Chennimalai Gounder

3.Duraisamy Gounder

4.Kumarasamy Gounder

5.Ramasamy

... Respondents 2 to 5/Defendants 2 to 5

PRAYER:

The Second Appeal is filed under Section 100 of CPC against the judgment and decree dated 19.09.1997 in A.S.No.99 of 1997 on the file of the Principal Sub Judge, Erode, reversing the judgment and decree dated 09.08.1996 in O.S.No.7 of 1995 on the file of the District Munsif Court cum Judicial Magistrate, Perundurai.

For Appellant : Mr.P.T.Ramadevi

For Respondents: R2 - Notice served

: R4 - Died

: R1, 3 and 5 - Not ready in notice

ORDER:

This second appeal is directed as against the judgment and decree dated 19.09.1997 in A.S.No.99 of 1997 on the file of the Principal Sub Judge, Erode, reversing the judgment and decree dated 09.08.1996 in O.S.No.7 of 1995 on the file of the District Munsif Court cum Judicial Magistrate, Perundurai.

2. The learned counsel for the appellant sought time to take steps to implead the legal heirs of the appellant, who died long back.

3. On 10.12.2018, this Court granted time to take steps to bring LR's of the sole appellant and thereafter the learned counsel for the appellant had taken time to take steps to implead the legal heirs on so many occasions. Finally, the matter was listed on 03.12.2019, and on that day also, at the request of the learned counsel for the appellant, the matter was adjourned. Till today, no steps have been taken by the learned counsel for the appellant to implead the legal heirs.

4. Therefore, the Second Appeal is dismissed as abated. No costs.

Sd/-
Assistant Registrar (CS VI)

//True Copy//

Sub Assistant Registrar

To

1. The Principal Sub Judge,
Erode.

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

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