

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2019

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

S.A. No.1234 of 2007
and
C.M.P. No.3227 of 2007

Mani ... Appellant

Vs

1. Rajavalli (Deceased) *
2. Dakshinamoorthy
3. Muthukrishnan
4. Elangovan (Deceased)*
5. Banumathi
6. Kaveri
7. Uma Respondents

* RR1 and 4 Died.

** RR2,3,5 to 7 as Legal Representatives of the deceased RR1 and 4 viz., Rajavalli & Elangovan, as per memo dated 6.12.2006 is recorded vide order of this Court, dated 12.11.2018

Second Appeal filed under Section 100 of the Code of Civil Procedure as against the Judgment and decree in A.S. No.2 of 2002 of the Additional Sub Court, Mayiladuthurai dated 27.03.2002 as reversed by the Judgment and decree of the Additional District Munsif, Mayilduthurai in O.S. No.128 of 1995, dated 20.08.2001.

For appellant : Mr.S. Sounthar

For respondents : Mr.G. Jermiah
R2, R3, R5 to R7

JUDGMENT

This Court by its earlier order dated 19.09.2019 recorded the submission of the learned counsel for the appellant that the 3rd respondent died. Till date, no steps have been taken by the learned counsel for the appellant to bring on record the Legal

Representatives for the deceased 3rd respondent. It is now submitted by the learned counsel for the appellant that the sole appellant also died four months back. No steps have been taken to bring on record the Legal Representatives for the deceased sole appellant also. It is also submitted by the learned counsel for the appellant that the Legal Representatives of the deceased appellant have not approached him to bring them on record in this Second Appeal.

2. In view of the submissions made by the learned counsel for the appellant, the Second Appeal stands abated. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vsi2
To

1. The Additional Sub Judge,
Mayiladuthurai.
2. The Additional District Munsif,
Mayilduthurai.

Copy to

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

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srg 29/11/2019