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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2019

CORAM

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

SA.No.762 of 2004 and
CMP.No.5956 of 2004

Narayanaswami Naidu

..Appellant

Vs.

1.Lakshmikanthammal
2.Devandran
3.Durairaj
4.Sumathi
5.Mythili
6.Kanchana

..Respondents

PRAYER:

The Second Appeal is filed under Section 100 of CPC against the judgment and decree of the court of the Additional District Judge, Fast Track Court, No.III at Poonamallee in AS.No.66 of 1994 dated 02.05.2002 reversing the judgment and decree of court of District Munsif of Tambaram in OS.No.618 of 1993 dated 30.06.1994.

For Appellant : Mrs.G.Arulselvi

For R1 & R2 : Mr.Damodaran
:R3 to R6 - not ready notice

JUDGMENT

The present appeal has been filed as against the judgment and decree of the court of the Additional District Judge, Fast Track Court, No.III at Poonamallee in AS.No.66 of 1994 dated 02.05.2002 reversing the judgment and decree of court of District Munsif of Tambaram in OS.No.618 of 1993 dated 30.06.1994.

2.The learned counsel for the appellant submitted that the sole appellant reportedly died. Therefore they have taken notice, but could not serve notice to the appellant or his legal heirs. Till today they have not received any information from the appellant.



3. In view of the submissions of the learned counsel for the appellant, this Second Appeal is dismissed as abated. However, it is open to the legal heirs of the appellant to set aside the abatement by filing necessary application before this Court. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

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To

1. The learned Additional District Judge,
Fast Track Court, No. III at Poonamallee

2. The learned District Munsif,
Tambaram

+1cc to Mr. T. Karunakaran, Advocate SR.No. 102699

SA.No. 762 of 2004

BP (CO)
GMY (14/02/2020)



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