

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2019

CORAM: THE HONOURABLE Mr.JUSTICE N.SESHASAYEE

S.A.No.878 of 2004

Palani

.... Appellant

Vs

1.M.Parthasarathy

2.M.Gopal

3.M.Govindan

4.M.Munusamy

5.Ranuammal

6.Lakshmi Ammal

7.Valliammal

8.M.Elumalai

9.Babi Ammal

10.Nagammal

11.Periathambi Nadar

.... Respondents

Prayer :- Second Appeal filed under Section 100 of the Civil Procedure Code, preferred against 23.02.1995 made in A.S.No.32/91 on the file of the Subordinate Judge, Vellore at North Arcot, Ambedkar District, reversing the judgment and decree dated 19.12.1990 made in O.S.No.426/83 on the file of the Additional District Munsif Court, Vellore at North Arcot, Ambedkar District.

For Appellant : Mr.Krishna Prasad
for M/s.Sarvabhauman Associates

JUDGMENT

This case is at part-heard stage and this Court was informed by the learned counsel for the appellant that the first respondent is dead.

2. In spite of adjournments being granted to bring on record the legal representatives of the deceased first respondent, nothing is seen forthcoming. Hence, this appeal may stand dismissed.

3. However, the learned counsel for the appellant submitted that as and when they get instruction, they may be granted leave to restore the appeal.

4. The said submission of the learned counsel for the appellant is based on an hypothetical 'if' a situation arises, the same will be dealt with on its own merit.

5. Accordingly, this appeal is dismissed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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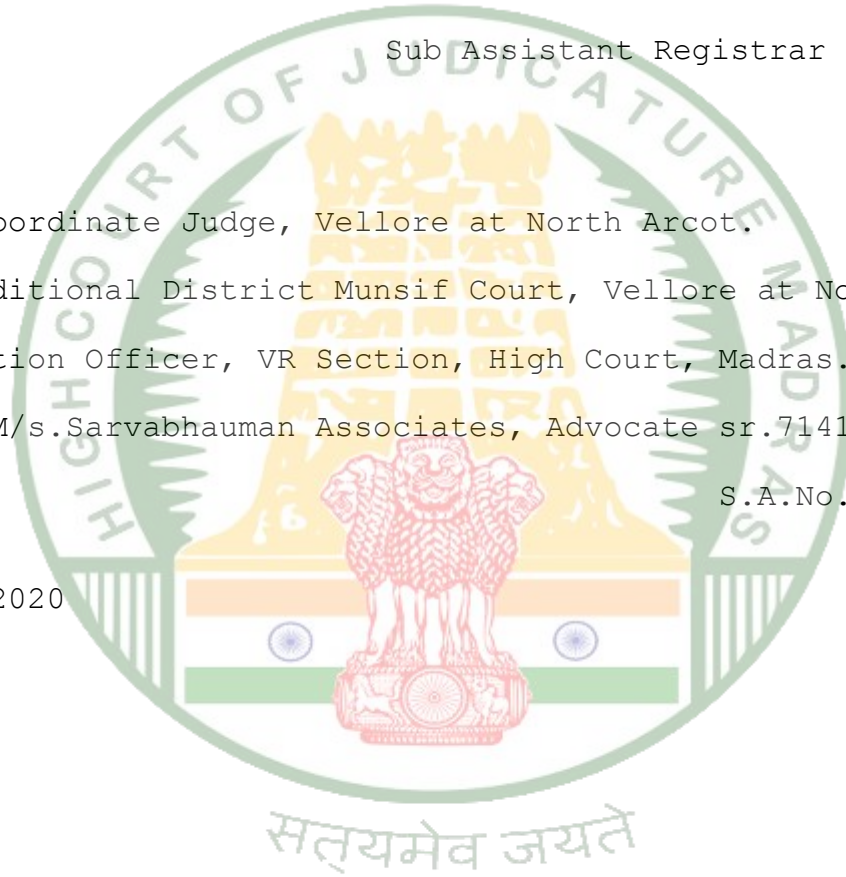
To:

1. The Subordinate Judge, Vellore at North Arcot.
2. The Additional District Munsif Court, Vellore at North Arcot.
3. The Section Officer, VR Section, High Court, Madras.

+1cc to M/s. Sarvabhauman Associates, Advocate sr.71418

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bp(co)
nr 31/01/2020



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