

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.01.2019

Coram:

THE HONOURABLE DR.JUSTICE G. JAYACHANDRAN

SECOND APPEAL NO.936 of 2004

and

C.M.P.No.6831 of 2004

1.Kuppa Goundre (Mentally retarded)
S/O Ponnusamy
rep.by his guardian and wife
Pichaikarachiammal
Murugambadi Village,
Tirukoilur Taluk. ... Appellant

/versus/

1.Sevathal
2.Palani
3.Anjalai
4.Booma
5.Sudha
6.Kalyani(minor)
D/o Pandurangan
rep.by her mother and guardian
Paunambal
7.Paunambal
8.Krishnan
9.Muthu
10.Gunasekar
11.Chandra
12.Raja
13.Santhi
14.Dhanam
15.Alamelu ... Respondents

Second Appeal has been filed under Section 100 of the Civil Procedure Code against the judgment and decree dated 30.01.2004 made in A.S.No.162 of 2001 on the file of the Principal District Judge, Villupuram District, Villupuram confirming the judgment and decree dated 16.07.2001 made in O.S.No.927 of 1993 on the file of the Principal District Munsif Court, Tirukoilur.

For Appellant :Mr.T.Dhanyakumar

For Respondents:Mrs.Mythili Suresh for
Sarvabhauman Asso. For R1

No appearance for R3 to R15.

J U D G M E N T

It is reported that the sole appellant died on 04.03.2008. Even after 10 years, steps have not been taken to bring the Legal Representatives of the deceased appellant.

2. When the matter was listed on 09.01.2019, the learned counsel for the appellant was permitted to take private notice to the respondents 3 to 15. Till date notice in the second appeal was not served and no steps taken sofar by the appellant probably due to the death of the deceased sole appellant. Since the appellant died 10 years ago and no steps were taken by the appellant to serve notice on the unserved respondents, this second appeal is dismissed as abated. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal District Judge,Villupuram.

2.The Principal District Munsif, Tirukoilur.

3.The Section Officer,
V.R.Section,
High Court, Madras -104.(2 copies)

+1cc to Mr.M.R.Kuyilan, Advocate, S.R.No.6921

S.A.No.936 of 2004

and

C.M.P.No.6831 of 2004

NRL (CO)

RRS (05/04/2019)