

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.09.2019

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

S.A.No.523 of 2005

and

CMP.No. 8118 of 2005

M.Selvam

... Appellant/Appellate/Plaintiff

Vs.

1.Dharmapuram Adheenam
Dharmapuram, rep.by its
Adheenakartha.

2.Arulmigu Dharmapurieswarar Swami Thirukoil
Dharmapuram, rep.by its Arangkavalar
Dharmapuram Adheenakart.

... Respondents/Respondents/Defendants

PRAYER: Second Appeal filed under Section 100 of C.P.C., against the judgment and decree passed by the Principal Sub-Judge, Mayiladuthurai, in A.S.No.99 of 2003 dated 30.01.2004 by upholding the judgment and decree passed by the Additional District Munsif, Myladuthurai, in O.S.No.354 of 1999 dated 03.03.2003.

For Appellant : M/s.Arul Selvi
for Mr. T.Karunakaran

For Respondents : Mr.S.Sounthar for R1 and R2

JUDGMENT

The learned counsel for the appellant has filed a memo stating that she has sent a notice to the Legal Representatives of the sole appellant and the same has been returned and hence, she is not having any instructions for filing a petition for impleading the Legal Representatives. The memo is recorded.

2. In the said memo itself, it has been stated that the notice which was sent on 29.06.2018 to the appellant was returned on 06.07.2018 stating that the appellant died on 04.07.2018 itself. So, it appears that on 04.07.2018 itself, the appellant died but, so far the Legal Representatives have not come forward to implead themselves as parties.

3. Hence, the Second Appeal is dismissed as abated. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1. The Principal Sub-Judge,
Mayiladuthurai.
- 2.The Additional District Munsif,
Myladuthurai,
- 3.The Section Officer, VR Section,
High Court, Madras.

+1cc to Mr.T.Karunakaran, Advocate Sr.78798

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BS(CO)
srg 05/11/2019

सत्यमेव जयते

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