

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2019

CORAM:

THE HONOURABLE MR.G.K.ILANTHIRAIYAN

S.A.No. 604 of 2005

1.Arputharaj

2.Mrs.Thangam Arputharaj

..Appellants

Vs.

1.V.S.Bhaskaran

2.Surya Babu

3.V.S.Lakshmipathy

4.Vasantha Kumari

5.Devika Rani

....Respondents

Prayer: Second Appeal filed under Section. 100 of C.P.C. against the judgment and decree dated 22.09.2003, passed in A.S.No. 266 of 2001, on the file of the IV-Additional City Civil Court, Chennai, confirming the judgment and decree dated 28.09.2001, passed in O.S.No.5433 of 1999, on the file of the XVII-Assistant City Civil Court, Chennai.

For Appellant : Ms.M.Hepzhiba

For Respondents : Mr.V.Avudainayagan for R1 to R3 & R5
No appearance for R4.

J U D G M E N T

This second appeal has been filed against the judgment and decree dated 22.09.2003, passed in A.S.No. 266 of 2001, on the file of the IV-Additional City Civil Court, Chennai, confirming the judgment and decree dated 28.09.2001, passed in O.S.No.5433 of 1999, on the file of the XVII-Assistant City Civil Court, Chennai.

2. The learned counsel appearing on behalf of the appellant submitted that the sole appellant died long back. To implead the legal heirs of the appellant, an application has been filed along with condone delay, that was returned for some complaint. Thereafter, the petitioner / appellant failed to represent the

same with the proper direction. Though this Court granted enough time to implead the legal heirs of the sole appellant, the petitioner did not take any serious steps to implead the legal heirs of the appellant. Therefore, this appeal is dismissed as abated. No costs.

Sd/-
Assistant Registrar(CJJ Act)

// True Copy//

Sub Assistant Registrar

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To

1. IV Additional Judge,
City Civil Court, Chennai.

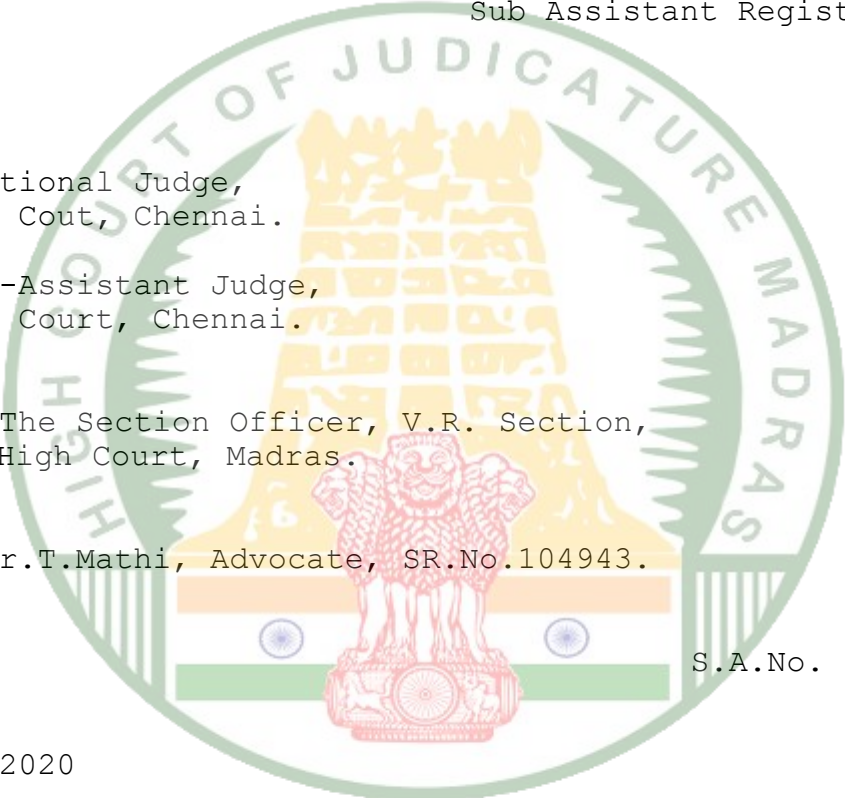
2.The XVII-Assistant Judge,
City Civil Court, Chennai.

Copy to: The Section Officer, V.R. Section,
High Court, Madras.

+2CCs to Mr.T.Mathi, Advocate, SR.No.104943.

S.A.No. 604 of 2005

SSV(CO)
CSR:13.02.2020



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