

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:19.02.2019

CORAM:

THE HON'BLE MR.JUSTICE T.RAVINDRAN

S.A.No.87 of 2005
and
C.M.P.No.1309 of 2005

1.Karuppa Moopan (Died)

2.Nanjammal

3.Rajeswari

4.Easwari

5.T.Thirumoorthy

[Appellants 2 to 4 recorded as
LR's of the deceased 1st appellant
vide order of the Court dated
15.03.2013 made in memo filed
before the Court dated 15.03.2013] ..Appellants / Defendants

Vs.

Sengoda Mooppan ...Respondent/Plaintiff

Prayer:Second Appeal filed under Section 100 of C.P.C., against the judgment and decree dated 24.09.2004 made in A.S.No.18 of 2004 on the file of the Principal Sub Court, Gobichettipalayam reversing the judgment and decree dated 29.03.2004 made in O.S.No.313 of 2002 on the file of the District Munsif Court, Gobichettipalayam.

For Appellants : Mr.M.Narayanasamy

For Respondent : Mr.N.Manokaran

J U D G M E N T

Learned counsel for the appellants seeks further time to bring the LR's of the deceased sole respondent on record. However, on perusal of the notes paper, it is found that the

death of the sole respondent has been reported long back to this Court and despite the above position, the appellants had not evinced interest to take appropriate steps to bring the LR's on record and proceed with the appeal in accordance with law. In such view of the matter, there is no purpose in keeping this Second Appeal further pending.

2. In view of the above position, the second appeal is dismissed as abated. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

mfa

To

1. The Principal Subordinate Judge,
Principal Sub Court,
Gobichettipalayam.
2. The District Munsif,
District Munsif Court,
Gobichettipalayam.

Copy to

The Section Officer,
VR Section,
High Court,
Chennai. (2 copies)

+1 cc to Mr.M.Narayanaswamy, Advocate, S.R.No.15392

S.A.No.87 of 2005

and

C.M.P.No.1309 of 2005

EV(CO)
SSM(13/03/2019).

WEB COPY