

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2019

CORAM

THE HONOURABLE MR. JUSTICE T.RAVINDRAN

S.A. No.33 of 2016

and

CMP Nos.20164 and 1059 of 2016

1. Anjali
2. Rajendran
3. Venkatesan

...Appellants/Plaintiffs

Vs.

Illayaperumal

...Respondent/Defendant

Prayer: Second Appeal filed under Section 100 of Civil Procedure Code against the judgment and decree dated 11.07.2014 passed by the appellate court in A.S.No.333/2013 on the file of VII Addl. City Civil Court, Chennai, reversing the judgment and decree dated 13.06.2012 of the trial court in O.S.No.2687/2004 on the file of XVI Assistant City Civil Court, Chennai.

For Appellants : No appearance
For respondent : Mr.N.Rajan

JUDGMENT

This matter was listed on 10.06.2019 and on that day, there was no representation for the appellants, despite the matter being called twice and on the appellants being called and remaining absent, the Registry was directed to list the matter on 11.06.2019 under the caption "for dismissal".

2. Today, when the matter is called, there is no representation for the appellants. Appellants called absent. Counsel for the respondent present.

3.As could be seen from the material available on record, the sole respondent had died long back and despite being informed by way of the memo, the appellants have not taken steps to bring the legal heirs of the deceased respondent as per law and proceed with the matter. In such view of the matter, there is no purpose in keeping the appeal further pending.

4. In the light of the above position, the Second Appeal is dismissed as abated. No costs. Consequently, connected miscellaneous petitions are also dismissed.

-s/d-

Assistant Registrar (CS-I)

True Copy

Sub-Assistant Registrar

bga

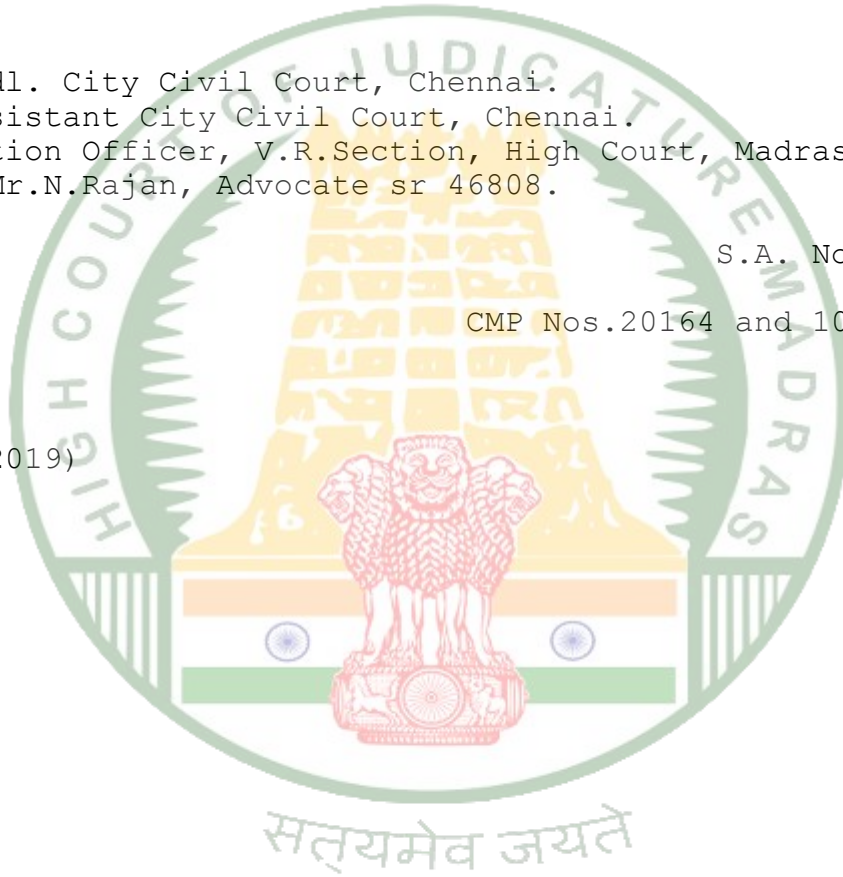
Copy to

1. VII Addl. City Civil Court, Chennai.
 2. XVI Assistant City Civil Court, Chennai.
 3. The Section Officer, V.R. Section, High Court, Madras
- +1 CC to Mr. N. Rajan, Advocate sr 46808.

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LN (CO)
SP (15/07/2019)



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