

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2020

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

SA.Nos.1198 & 1199 of 1993 and 1470 of 1997
and Cros.Obj.Nos.179 & 180 of 1993

SA.No.1198 of 1993

Neelambal

..Appellant

Vs.

Kattupalayam Sri mariamman koil
by Hereditary Trustees

1.G.Krishnasami Padayachi
2.V.Rangadas Naidu
3.Rajan Ammal
4.Dayalan
5.Rajaram
6.Lakshmi
7.Sekar

..Respondents

(RR3 to 7 are brought on record as LR of the deceased second respondent vide order of court dated 13.02.2007 made in CMP.No.19 & 20 of 2007)

PRAYER: The Second Appeal is filed under Section 100 of CPC against the judgment and decree dated 21.04.1993 in A.S.No.69 of 1991 on the file of the Additional District Court, S.Arcot at Cuddalore preferred against the judgment and decree dated 20.09.1990 in O.S.No.112 of 1989 on the file of the Additional Subordinate Court, Cuddalore.

For Appellant : No Appearance

For Respondents

For R1, 3to 7 : Mr.S.K.Raghunathan

: R2 - died

SA.No.1199 of 1993

Neelambal

..Appellant

Vs.

1.Venugopal Chettiar @ Durai
2.Krishnaswami Padayachi
3.Rangadas Naidu (deceased)

4.Rajam Ammal
5.Dayalan
6.Rajaram
7.Lakshmi
8.Sekar

..Respondents

(RR4 to 8 are brought on record as LR of the deceased R3 vide order of court dated 07.06.2010 made in CMP.No.1170 to 1172 of 2007)

PRAYER:

The Second Appeal is filed under Section 100 of CPC against the judgment and decree dated 21.04.1993 in A.S.No.70 of 1991 on the file of the Additional District Court, S.Arcot at Cuddalore preferred against the judgment and decree dated 20.09.1990 in O.S.No.8 of 1990 on the file of the Additional Subordinate Court, Cuddalore.

For Appellant : No Appearance
For Respondents
For R1,2, 4to 8: Mr.S.K.Raghunathan
: R3 - died

SA.No.1470 of 1993

Neela Ammal

..Appellant

Vs.

Krishnaswamy

..Respondent

PRAYER: The Second Appeal is filed under Section 100 of CPC against the judgment and decree dated 28.02.1994 in A.S.No.42 of 1993 on the file of the Additional Sub Court, Cuddalore Confirming the judgment and decree dated 30.11.1992 in O.S.No.525 of 1989 on the file of the District Munsif Court, Cuddalore.

For Appellant : No Appearance

For Respondent : Mr.S.K.Raghunathan

ORDER:

The learned counsel for the appellant submitted that the sole appellant died. He also submitted no instruction from the legal heirs of the sole appellant.

2. It is seen that the legal heirs of the deceased sole appellant have not taken any step to proceed with the second

appeals. Therefore, these second appeals are dismissed as abated. Insofar as the petitions in Cros.Obj.Nos.179 & 180 of 1993 are concerned, they also did not take any step to bring the legal heirs of the sole respondent on record. Therefore, the cross objection petitions are also dismissed. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

lok

To

- 1.The Additional Sub Court,
Cuddalore.
- 2.The District Munsif Court,
Cuddalore.
- 3.The Additional District Court,
S.Arcot, Cuddalore.

Copy TO

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

+3cc to Mr.R.Subramanian, Advocate, S.R.No. 224, 225, 653
+1cc to Mr.S.K.Raghunathan, Advocate, S.R.No. 163

SA.Nos.1198 & 1199 of 1993 and 1470 of 1997
and Cros.Obj.Nos.179 & 180 of 1993

BS(CO)
GN(31/01/2020)

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