

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2020

CORAM

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

SA.Nos.1137 & 1310 of 1998 and
CMP.Nos.11150 & 12705 of 1998

SA.No.1137 of 1998

1.N.Kadhirvelu
2.Annamalai (deceased)
3.Thaiyal Nayaki
4.A.Santhi
5.A.Ganesan ..Appellants/Plaintiffs

(Appellants 4 and 5 brought on record as LR's of the deceased 2nd appellant vide order of court dated 23.02.2015 made in CMP.Nos.162 to 164 of 2015 in SA.No.1137 of 1998)

Vs.

1.Nagappan
2.Kalyani Ammal ..Respondents/Defendants

PRAYER:

The Second Appeal is filed under Section 100 of CPC against the judgment and decree dated 02.02.1998 in A.S.No.32 of 1997 on the file of the District Judge, Cuddalore affirming the judgment and decree dated 28.01.1997 in O.S.No.823 of 1990 on the file of the District Munsif, Cuddalore.

For Appellants : Mr.R.Sunil Kumar
For Respondents : R1 - died
: R2 - notice served(NA)

SA.No.1310 of 1998

N.Kadhirvelu ..Appellant/1st Defendant

Vs.

1.Nagappan
2.Kalyani Ammal ..Respondents/Plaintiffs/3rd Defendant

PRAYER:

The Second Appeal is filed under Section 100 of CPC against the judgment and decree dated 02.02.1998 in A.S.No.33 of 1997 on the file of the District Judge, Cuddalore affirming the judgment and decree dated 28.01.1997 in O.S.No.830 of 1990 on the file of the District Munsif, Cuddalore.

For Appellant	: Mr.R.Sunil Kumar
For Respondents	
For R1	: Mr.Nilopher
	for M/s.R.Meenal
	: R2 - dismissed

COMMON ORDER:

These second appeals are directed as against the against the judgment and decree dated 02.02.1998 in A.S.No.32 of 1997 on the file of the District Judge, Cuddalore affirming the judgment and decree dated 28.01.1997 in O.S.No.823 of 1990 on the file of the District Munsif, Cuddalore and against the judgment and decree dated 02.02.1998 in A.S.No.33 of 1997 on the file of the District Judge, Cuddalore affirming the judgment and decree dated 28.01.1997 in O.S.No.830 of 1990 on the file of the District Munsif, Cuddalore.

2. The learned counsel for the appellants submitted that there are two respondents, in which the first respondent died and as against the second respondent, the second appeal was already dismissed.

3.It is seen that the second appeals are pending from the year 1998. Even then, the appellants did not take any step to implead the legal heirs of the first respondent, which shows that they are not interested in proceeding with the second appeals.

4. Therefore, these second appeals are dismissed as abated. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar (CS-VI)

// True Copy //

Sub Assistant Registrar

lok

To

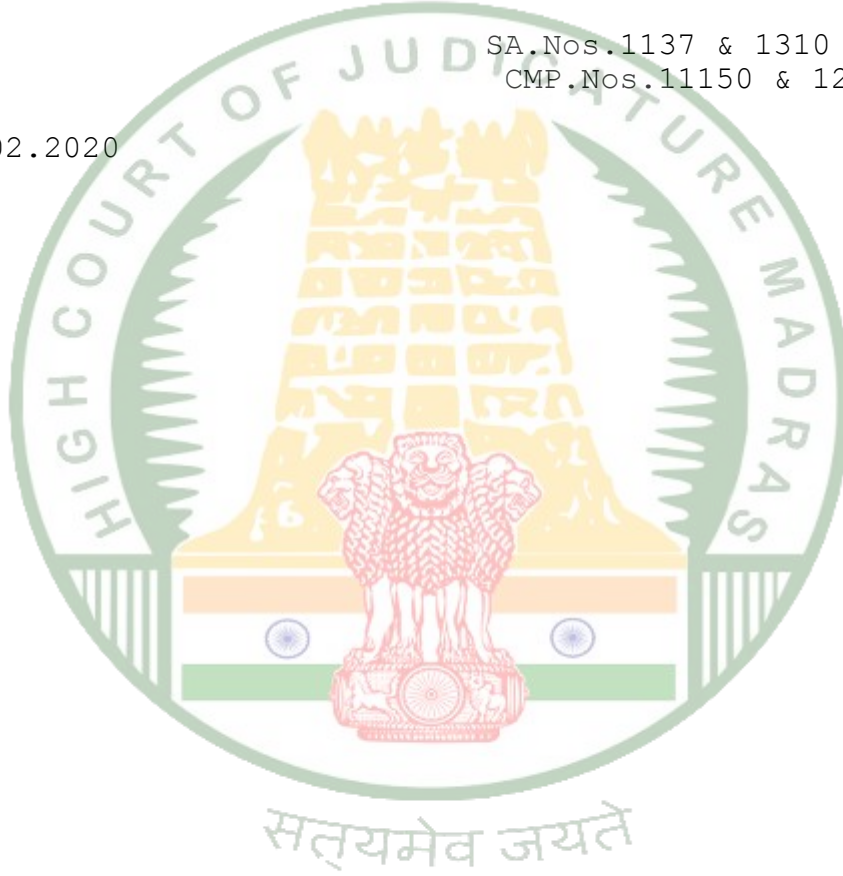
1.The District Judge,
Cuddalore.

2.The District Munsif,
Cuddalore.

+2cc to Mr.R.Subramanian, Advocate, SR.Nos.1245 & 1246.

VG-II(CO)
CSR:m 11.02.2020

SA.Nos.1137 & 1310 of 1998 and
CMP.Nos.11150 & 12705 of 1998



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