

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2020

CORAM:

THE HONOURABLE MR.G.K.ILANTHIRAIYAN

S.A.No. 1503 of 1998

1.Sivagami Amma @ Maragatham

2.S.Natesa Siva

3.Santhi Siva

4.S.P.Siva

5.S.Muthu Siva

6.Parvatham

7.Neela

8.Vanmeeganathan

9.Thyagarajan

10.Somasundaram

(Appellants 6 to 10 brought on record as LRs of the deceased
1st Appellant Viz., Smt.Sivagami Amma @ Maragatham vide
order of Court dated 21.08.2019 made in C.M.P.No.501 to 503
of 2008 in S.A.No.1503 of 1998)

..Appellants

Vs.

1.D.Navaneetham

2.Sankaranarayanan

3.Lakshmi Narayanan

4.D.Ravichandran

5.D.Bhaskaran

6.D.Sivakumar

7.D.Manikandan

8.D.Vijayan

9.D.Guberan

10.Malathi

11.D.Jayabarathi

12.D.Sridevi

13.D.Umarani

14.Sri Thiagarajaswamy Devasthanam Abisheka Kattalai,
Tiruvarur rep. By its Executive Officer, Tiruvarur.

(Minor Kuberan-9th respondent
rep by his mother and guardian 1st respondent
Smt.Navaneetham)

(Minor Respondents 11 to 13 are rep by their mother
and guardian 10th respondent Smt.Malathi)

(All the respondents 1 to 13 are residing at
Chandrasekaran Pettai,
Kudavasal Taluk, Tiruvarur.)

...Respondents

Prayer: Second Appeal filed under Section. 100 of C.P.C.
against the judgment and decree passed in A.S.No.18 of 1997
dated 18.06.1997 on the file of the Principal Sub-Judge,
Nagapattinam, confirming that of the judgment and decree in
O.S.No.612 of 1993 dated 07.03.1996 on the file of the District
Munsif, Tiruvarur.

For Appellants : Mr.P.Gopalan

For Respondents: Mr.J.Nandagopal for R2, 4, 6 & 9
R14 Notice served

R3, 5, 7, 8, 10 to 13
Not ready in notice

J U D G M E N T

This second appeal filed against the judgment and decree
passed in A.S.No.18 of 1997 dated 18.06.1997 on the file of the
Principal Sub-Judge, Nagapattinam, confirming that of the
judgment and decree in O.S.No.612 of 1993 dated 07.03.1996 on
the file of the District Munsif, Tiruvarur.

2. The learned counsel appearing for the appellants
submitted that the first appellant died and the legal heirs of
the first appellants have been brought on record as appellants 6

to 10. Subsequently, the second appellant also died. Though the learned counsel appearing for the appellant had written remaining letters to the appellants, the appellants did not turn up to implead the other legal heirs of the deceased second appellant. Therefore, he reported no instructions from the appellant. Therefore, it shows that the appellants have no interest to proceed with the case. Hence, this second appeal is dismissed for default. No costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

kkn

To:-

1. The Principal Sub-Judge, Nagapattinam.
2. The District Munsif, Tiruvarur.

Copy To

The Section Officer,
V.R. Section, High Court,
Madras.

S.A.No. 1503 of 1998

BP (CO)
GN(04/03/2020)

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