

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 20.01.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
S.A.No.1487 of 1999

1.Kathunbi
2.Sabeerabee
3.Sarfunnisa
4.Shemi Munnisa
5.Rahimunissa
6.Nasimunissa
7.Noorunnisa

... Appellants

Vs.

1.K.A.Subhan
2.Abdulla
3.Nazimunnisa
4.Rafeeqe Ahmed

... Respondents

Prayer : Second Appeal filed under Section 100 of C.P.C. to set aside the order and decree of the Additional District Judge cum Chief Judicial Magistrate, Vellore in A.S.No.155 of 1993 dated 30.04.1999 in reversing the decree and judgment of Court of Sub-Judge, Tirupattur, in O.S.No.66 of 1993 dated 15.04.1993.

For Appellants : Mr.V.Raghavachari

For Respondent

R1 : Died

R2 to R4: Not ready in notice

J U D G M E N T

This second appeal has been preferred as against judgment and decree dated 30.04.1999 made in A.S.No.155 of 1993 on the file of the Additional District Judge cum Chief Judicial Magistrate, Vellore in reversing the judgment and decree dated 15.04.1993 made in O.S.No.66 of 1993 on the file of the Subordinate Court, Tirupattur.

2. It is brought to the notice of this Court that the first respondent died and the respondents 2 to 4 are the legal heirs of the deceased first respondent, but there is no petition or memo filed to that effect. It is also seen that the respondents 2 to 4 were not served till. Though this appeal has been repeatedly listed for taking steps, the appellant failed to take steps to serve notice to them. It shows that the appellants have no interest to proceed with this appeal.

3. Hence, the second appeal stands dismissed for default. No costs.

Sd/-
Assistant Registrar(co)

//True Copy//

Sub Assistant Registrar

Pns/rts

To

1. The Additional District Judge cum
Chief Judicial Magistrate,
Vellore.

2. The Sub-Judge,
Tirupattur.

Copy to:
The Section Officer, VR Section, High Court, Madras.

S.A.No.1487 of 1999

A.SK(21/02/2020)