

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2020

CORAM

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

SA.No.897 of 2003 and
CMP.No.8111 of 2003

Dhanalakshmi ..Appellant/Appellant/
Defendant No.2

Vs.

Arulmigu Sree Subramaniasamy
Temple Pudupatti rep. by its Trustees
1.Kandasamy Mudaliar ..Respondents1 & 2/
2.Arumuga Mudaliar Respondents 1 & 2/Plaintiffs 1& 2
3.Palaniammal ..3rd Respondent/RespondentNo.4/
Defendant No.3

PRAYER:

The Second Appeal is filed under Section 100 of CPC against the judgment and decree dated 05.02.2003 in A.S.No.141 of 2002 on the file of the Additional District Court cum Chief Judicial Magistrate Court, Perambalur confirming the judgment and decree dated 30.04.1996 in O.S.No.88 of 1983 on the file of the District Munsif Court, Perambalur.

For Appellant : Mr.P.Mani
For Respondents : No Appearance

JUDGMENT

The second appeal is directed as against the judgment and decree dated 05.02.2003 in A.S.No.141 of 2002 on the file of the Additional District Court cum Chief Judicial Magistrate Court, Perambalur confirming the judgment and decree dated 30.04.1996 in O.S.No.88 of 1983 on the file of the District Munsif Court, Perambalur.

2. The learned counsel for the appellant submitted that all the respondents died long back.

3. It is seen that though all the respondents died long back, even till today, the appellant has not taken any step to implead the legal heirs of the respondents, which shows that the appellants are not interested in proceeding with the second appeal.

4. Accordingly, the second appeal is dismissed as abated. However, the appellant is at liberty to file necessary petition to set aside the abatement by impleading the legal heirs of the deceased respondents. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar (CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Additional District Court cum
Chief Judicial Magistrate Court,
Perambalur

2. The District Munsif
Perambalur.

copy to

The Section Officer
High Court Madras

+1cc to Mr. R. Balasubramanian Advocate sr2075

SA.No.897 of 2003

aa11/02/2020

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