

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2020

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

S.A.No.1316 of 2010

(Heard through video conferencing)

Padmini .. Appellant/Appellant/Plaintiff

Vs

1.C.S.Janikiraman

2.Selvaraj

3.Joys Mari

4.Sugirtha Kumari

5.S.Rajkumar

6.Ravikumar

7.Susai Mary

8.Sarojini Mary

9.Santhakumari

10.Danial Sampathkumar

11.Samuel Sundar

12.Samson

... Respondents

Prayer:- This Second Appeal has been filed under Section 100 of CPC, against the judgment and decree dated 06.01.2009 made in A.S.No.709 of 2007 on the file of the learned First Additional Judge, City Civil Court, Chennai confirming the Judgment and Decree dated 15.06.2006 made in O.S.No.2911 of 2001 on the file of the learned Seventh Assistant City Civil Judge, Chennai.

For Appellant	: Mr.R.N.Amarnath
For Respondents	
For R1, R3, R4 & R5	: No appearance
For R2	: Died
For R6	: No such person
For R7 to R12	: Want of correct address

JUDGMENT

(Heard through video conference)

Heard the learned counsel for the appellant.

2. The appeal is preferred by the plaintiff, who lost the case before the Court below. The suit is for specific performance and permanent injunction. The respondents 1,3,4 and 5 were served notice. However, they have not engaged any counsel. As far as respondents 2 and 6 are concerned, Registry note indicates that R2 died and there is no such person as R6. For other respondents 7 to 12, service could not be effected due to want of correct address.

3. At this stage, the learned counsel for the appellant submitted that the appellant died and there is no instruction from his legal heirs.

4. Recording the submissions made by the learned counsel for appellant, this Second Appeal is dismissed as abated. No orders as to costs.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

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To

1.The First Additional Judge,
City Civil Court, Chennai.

2. The Seventh Assistant City Civil Judge,
Chennai.

S.A.No.1316 of 2010

PVS (CO)
RMP (19/11/2020)