

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2020

CORAM

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

S.A.No.1389 of 2005

K.R.Muthusamy

.. Appellant/Appellant/Plaintiff

Vs.

1.The Superintending Engineer
Erode Electricity Distribution Circle
Mettur Road
Erode.

2.The Asst. Executive Engineer
Operation & Maintenance (South)
Tamilnadu Electricity Board
Krishnapuram
Kavundapadi
Bhavani Taluk.

3.The Junior Engineer
Tamilnadu Electricity Board
Krishnapuram
Kavundapadi
Bhavani Taluk

4.Paruvathian @ Nachimuthu ..Respondents/Respondents/Defendants

PRAYER:

The Second Appeal is filed under Section 100 of CPC against the judgment and decree passed in A.S.No.96 of 2003 dated 22.02.2005 on the file of the Sub Court, Bhavani, confirming the judgement and decree passed in O.S.No.496 of 1999 on the file of First Additional District Munsif Court, Bhavani dated 13.8.2003 and to allow the second appeal.

For Appellant : Ms.P.T.Ramadevi

For Respondents : Mr.N.Muthuswami for R1 to R3

JUDGMENT

The second appeal is directed as against the judgement and decree dated 22.02.2005 passed in A.S.No.96 of 2003 on the file of the Sub Court, Bhavani confirming the judgement and decree passed in O.S.No.496 of 1999 on the file of First Additional District Munsif Court, Bhavani dated 13.8.2003.

2. It is seen that the sole appellant died long back. Though this Court had given an opportunity to take steps to implead the legal heirs of the deceased sole appellant, the legal heirs did not take any step to implead themselves as parties. Therefore, it shows that the legal heirs of the deceased sole appellant have no interest to proceed further with the second appeal.

3. Accordingly, the second appeal is dismissed as abated. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1.The Sub Judge,
Bhavani, Erode.
2. The First Additional District Munsif Court,
Bhavani.
- 3.The Superintending Engineer
Erode Electricity Distribution Circle
Mettur Road
Erode.
- 4.The Asst. Executive Engineer
Operation & Maintenance (South)
Tamilnadu Electricity Board
Krishnapuram
Kavundapadi
Bhavani Taluk.

5.The Junior Engineer,
Tamilnadu Electricity Board,
Krishnapuram,
Kavundapadi,
Bhavani Taluk.

SA.No.1389 of 2005

NR(CO)
CB(16/03/2020)



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