

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2020

CORAM

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

SA.No.1502 of 2005

M.Jayabalan

..Appellant

Vs.

Yusuf Sait

..Respondent

PRAYER:

The Second Appeal is filed under Section 100 of CPC against the judgment and decree dated 22.02.2005 in A.S.No.23 of 2004 on the file of the District Judge of the Nilgiris, Uthagamandalam confirming the judgment and decree dated 30.10.2003 in O.S.No.224 of 1996 on the file of the Subordinate Judge, Uthagamandalam

For Appellant : Mr.P.M.Duraiswamy

For Respondent : M/s.Mythili Suresh
for M/s.Sarvabhauman Assts.

JUDGMENT

The second appeal is directed as against the judgment and decree dated 22.02.2005 in A.S.No.23 of 2004 on the file of the District Judge of the Nilgiris, Uthagamandalam confirming the judgment and decree dated 30.10.2003 in O.S.No.224 of 1996 on the file of the Subordinate Judge, Uthagamandalam.

2. The learned counsel for the appellant submitted that the sole appellant died, and thereafter to implead the legal heirs of the sole appellant, a letter was written to the said legal heirs. Even then, they did not turn up to file any application to implead themselves as the legal heirs of the sole appellant.

3. It is seen that the legal heirs of the sole appellant have not taken any step to implead themselves as the legal heirs, which shows that they have no interest to proceed with the second appeal.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

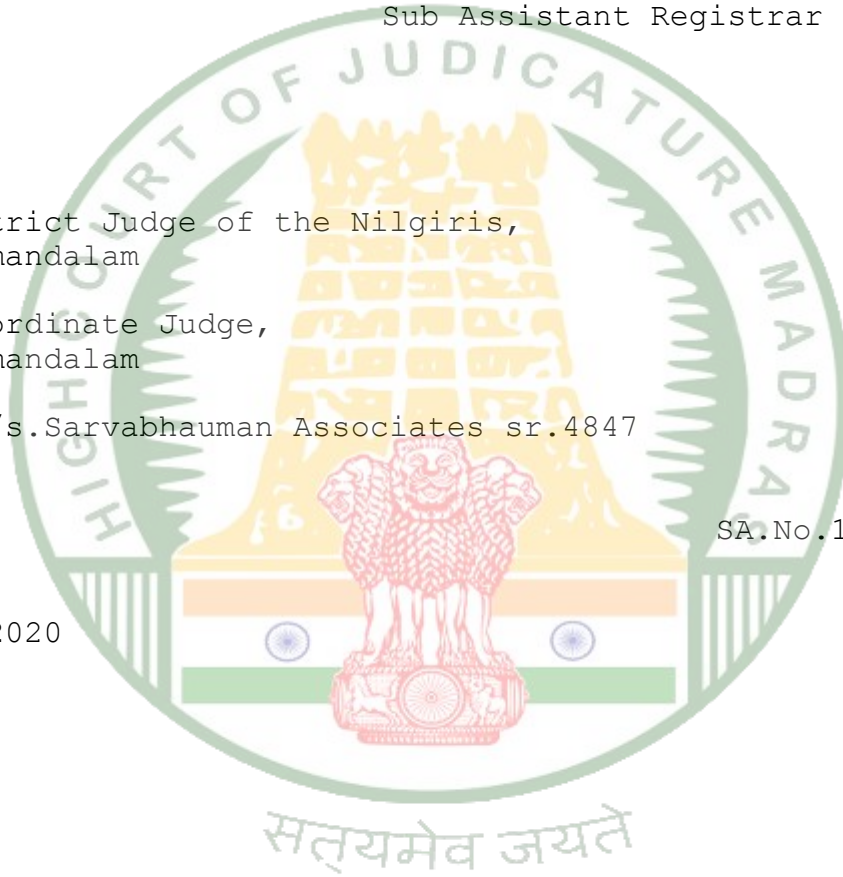
1.The District Judge of the Nilgiris,
Uthagamandalam

2.The Subordinate Judge,
Uthagamandalam

+1cc to M/s.Sarvabhauman Associates sr.4847

SA.No.1502 of 2005

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