

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2020

CORAM

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

SA.No.438 of 2005 and
CMP.No.7100 of 2005

1.Kuppusamy
2.Sellappan
3.Muthusamy

..Appellants

Vs.

Chinna Kuppusamy Gounder

... Respondent

PRAYER: The Second Appeal is filed under Section 100 of CPC against the judgment and decree dated 31.10.2003 in A.S.No.14 of 2003 on the file of the Subordinate Judge, Thiruvarur Mettur reversing the judgment and decree dated 16.12.2002 in O.S.No.710 of 1996 on the file of the District Munsif cum Judicial Magistrate Court, Omalur.

For Appellants : Mr.G.Manogar
for Mr.P.Chandrasekar
For Respondent : No Appearance

ORDER:

This second appeal is directed as against the judgment and decree dated 31.10.2003 in A.S.No.14 of 2003 on the file of the Subordinate Judge, Thiruvarur Mettur reversing the judgment and decree dated 16.12.2002 in O.S.No.710 of 1996 on the file of the District Munsif cum Judicial Magistrate Court, Omalur.

2. It is seen that the respondent died long back, and this Court granted time on so many occasions to implead the legal heirs of the respondent. However, the appellants failed to take steps to implead the legal heirs. Therefore, this second appeal is liable to be dismissed as against the respondent.

3. Accordingly, the second appeal is dismissed as abated. Consequently connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar (CS-VIII)

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Sub Assistant Registrar

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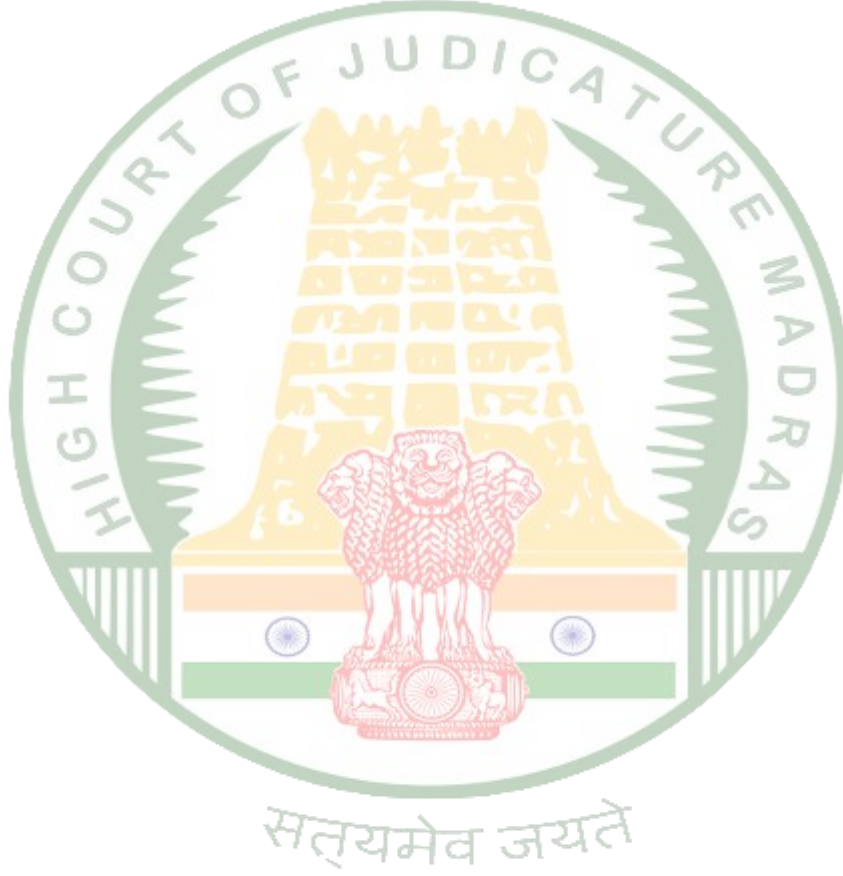
To

1.The Subordinate Judge,
Thiruvarur.

2.The District Munsif cum Judicial Magistrate Court,
Omalur.

SA.No.438 of 2005

SPD (CO)
GN (04/02/2020)



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