



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE: 02.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

S.A. (MD) .Nos.752 and 753 of 2005 & 966 of 2006

and

C.M.P. (MD)No.4944 of 2005

in

S.A. (MD)No.753 of 2005

S.A. (MD)No.752 of 2005

M.Sankaranarayanan ... Appellant / Appellant / 1st Defendant
Vs.

1.A.R.Muthusamy

2.S.Azhagappan

3.A.Ramasubramanian

4.A.Arumugam ... Respondents 1 to 5/ Respondents 1, 3 to 5 /
Plaintiffs 1, 3 to 5

5.M/s.Saranya Steels,

Represented by its Partner,

126-A, Katchery Road,

Virudhunagar.

...6th Respondent / 6th Defendant /
2nd Defendant

S.A. (MD)No.753 of 2005

M.Sankaranarayanan ... Appellant / Appellant / 1st Defendant
Vs.

1.A.R.Muthusamy

2.S.Azhagappan

3.A.Ramasubramanian

4.A.Arumugam ... Respondents 1 to 4 / Respondents 1, 3 to 5
/Plaintiffs 1, 3 to 5

5.M/s.Saranya Steels,

Represented by its Partner,

126-A, Katchery Road,

Virudhunagar.

6.M/s.Maruthi Agencies,

Represented by its Partner,

126-B, Katchery Road,

Virudhunagar.

... Respondents 5 & 6 / Respondents /
Defendants 2 & 3

S.A. (MD)No.966 of 2006

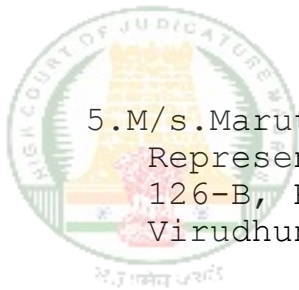
M.Sankaranarayanan ... Appellant / Appellant / 1st Defendant
Vs.

1.A.R.Muthusamy

2.S.Azhagappan

3.A.Ramasubramanian

4.A.Arumugam ... Respondents / Respondents 1, 3 to 5 /
Plaintiffs 1, 3 to 5



5.M/s.Maruthi Agencies,
Represented by its Managing Partner,
126-B, Katchery Road,
Virudhunagar.

... Respondent 6 / 6th Respondent /
2nd Defendant

COMMON PRAYER: These Second Appeals are filed under Section 100 of Civil Procedure Code, to set aside the judgment and decree dated 31.01.2005 made in A.S.Nos.52, 20 and 53 of 2004 on the file of the Subordinate Court, Virudhunagar, confirming the judgment and decree dated 14.08.2003 made in O.S.Nos.123, 19 and 124 of 2001 on the file of the District Munsif Court, Virudhunagar.

For Appellant	: Mr.S.Parthasarathy
For R1,R3 & R4	: Mr.V.Ramalingam
For R2	: Died
For R5	: M/s.R.K. Associates (in S.A.(MD)No.752 of 2005)
For Appellant	: Mr.S.Parthasarathy
For R1	: Died
For R2 to R4	: Mr.V.Ramalingam
For R5	: No Appearance
For R6	: Mr.S.Madhavan (in S.A.(MD)No.753 of 2005)
For Appellant	: Mr.S.Parthasarathy
For R1, R3 & R4	: Mr.G.Prabhu Rajadurai
For R2	: Died
For R5	: Mr.S.Madhavan (in S.A.(MD)No.966 of 2006)

JUDGMENT

The sole appellant in all these Second Appeals died, according to the respondents, in the year 2011 itself, which is not disputed by the learned counsel appearing for the appellant.

2.It is the contention of the learned counsel appearing for the appellant that he has already handed over the bundle to the appellant, but no instructions whatsoever have been received from the client from the year 2011 itself and steps were not taken. Hence, these Second Appeals are dismissed as abated. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



Myr

To

1.The Subordinate Judge, Virudhunagar.

2.The District Munsif, Virudhunagar.

3.The Section Officer, (2 COPIES)
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.

+3 CC to M/s.M.P.SENTHIL, Advocate (SR-264, 265 AND 266)

S.A. (MD) Nos.752, 753 of 2005 and 966 of 2006

SMA/21/01/2020/3P/8C