



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2021

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

S.A. No.1428 of 1998 &
C.M.P.Nos. 443 to 452 of 2011 & 24334, 24557,
24335, 24555, 24549 & 24338 of 2019

1.Saraswathi

2.Rukumani

... Appellants/Respondents/Plaintiffs

Vs

1.Pavadai (Deceased)

2.Sakunthala

3.Madhiniar @ Sugirtha

4.Minor Gnanavalli

5.Minor. Gnanasoundari

6.Minor Venkittu

7.Parasurama Gounder

8.Deenadayalu Gramani

...Respondents 1 to 8/Appellants/Defendants 1, 3 to 9

9.Krishnaveni ...8th Respondent/3rd Respondent/2nd Defendant

RR 2, 3, 5 and 6 recorded as

LRs of the deceased R1 vide order of Court

dt.25.11.2011 made in CMP NO.442 Of 2011.

PRAYER: Second Appeal filed under Section 100 C.P.C. against the Judgment and Decree dated dated 18.06.1997 passed in A.S.No.135/95 on the file of the Additional District Judge, Cuddalore reversing the judgment and decree dated 09.08.1995 passed in O.S.No.196/91 on the file of the Additional Subordinate Judge, Cuddalore.

For Appellants

: Mr.Sabarish

for M/s.S.K.Rakhunathan

For Respondents 2,3,5 to 8 : Mr.P.Srinivasan

For Respondents 1 , 4 & 9 : Died - steps taken

JUDGMENT

This Court by its order dated 20.07.2021 in the civil miscellaneous petitions filed to bring on record the legal representatives of the deceased Appellants as well as the deceased respondents made it clear that if steps are not taken



to serve notice on the respondents before the next hearing date i.e., on 10.08.2021 (today), the second appeal shall stand automatically dismissed for non-prosecution.

Till date, steps have not been taken to serve notice on the respondents as directed by this Court. Hence, in accordance with the order dated 20.07.2021, these civil Miscellaneous petitions are dismissed for non-prosecution. Since both the Appellants are dead in the main second appeal, the second appeal is dismissed as abated. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Additional District Judge,
Cuddalore
2. The Additional Subordinate Judge,
Cuddalore.
3. The Section Officer,
VR Section,
High Court, Madras.

S.A. No.1428 of 1998

NR (CO)
K.RK. (07.09.2021)