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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2021

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

S.A.No.977 of 2002

1.Vijaya
2.Nagarajan
3.Santhi
4.Minor Govindan,
rep. by natural friend &
mother and guardian ...Appellants/Appellants/Defendants
vs.

R.Sahadevan
...Respondent/Respondent/Plaintiff

Prayer: Second Appeal filed under Section 100 of C.P.C., against the Judgment and Decree dated 21.02.2002 made in A.S.No.23 of 1998 on the file of the Subordinate Judge, Tirupathur, modifying the Judgment and Decree dated 7.04.1998 made in O.S.No.1067 of 1996 on the file of Principal District Munsiff, Ambur.

For Appellants : Mr.M.Elayaraja
for Mr.P. Seshadri

For Respondent : Ms.AL.Gandhimathi

JUDGMENT

Learned counsel for the Respondent submits that letter sent by her to the respondent has been returned with the endorsement "expired".

2.Appellant has also not taken steps to bring on record the legal representatives of the deceased sole respondent.

3.Learned counsel for the respondent also submits that the connected Second Appeal filed by the respondent viz., S.A.No.1814 of 2004 has also been dismissed as abated since no steps have been taken to bring on record the legal representatives of the deceased Appellant in that Second Appeal. In this case also, the Appellant has also not taken steps to bring on record the legal representatives of the deceased sole respondent.



4.Hence, it can now be inferred that the Appellant is not interested in prosecuting the Second Appeal. Accordingly, this Second Appeal is dismissed for non-prosecution. No costs.

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s/d-
Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

To

- 1.The Subordinate Judge, Tirupathur.
- 2.The Principal District Munsiff, Ambur.

Copy to

The Section Officer
VR Section
High Court, Madras 104.

+1 CC to M/s.A.L. Gandhimathi, Advocate sr 31359.

S.A.No.977 of 2002

RP(CO)
SP(27/07/2021)