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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.08.2021

CORAM

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

S.A.NO. 299 OF 2008

AND

M.P.NO.1 OF 2008

1.Francis
2.Balambal
3.Arulsamy
4.Kamala Anthony Cruse

... Appellants

Vs.

1.Mariamammal
2.Santha
3.Rajendran
4.Kamala

... Respondents

Prayer: Second Appeal filed under Section 100 of the Civil Procedure against the decree and judgment dated 24.11.2005 in A.S. No.15 of 2005, on the file of the learned I Additional Sub-Court, Coimbatore, confirming the decree and judgment dated 28.07.2004, in O.S. No.915 of 2001, on the file of the Principal District Munsif, Coimbatore.

For Appellants : No appearance

For R1 & R2 : Mr.S.Senthilkumar

for M/s.G.Ponnambala Thiyagarajan

JUDGMENT

Today, when the matter is taken up for hearing, there is no representation for the appellants.

2.The learned counsel appearing for the respondents submitted that the third appellant died and till date no steps have been taken to implead the legal heirs of the deceased third appellant.

3.Though notice was sent by the Registry to the other appellants there is no representation on behalf of the other appellants.

4.In view of the above, the Second Appeal is dismissed for



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default. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mtl

To

1. The I Additional Sub-Court, Coimbatore.
2. The Principal District Munsif, Coimbatore.
3. The Section Officer, VR Section, High Court, Madras

S.A.No. 299 of 2008
and
M.P.No.1 of 2008

GP(CO)
PM/16/09/2021