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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2021

CORAM :

THE HONOURABLE MS.JUSTICE P.T.ASHA

S.A.No.719 of 2008

V.Gopalakrishnan

... Appellant

Vs.

Deivanaiammal (Died)
S.V.Swamy (died)

1.Vadivu
2.Chellammal
3.Kanagarathinam

Rajammal (Died)
Rathinasamy (Died)

4.Dhanalakshmi
5.Ramakrishnan
6.Banumathi
7.Deventharan
8.Kanchana
9.Manoharan
10.Chitra
11.Devagi
12.Ravi
13.Revathi
14.S.V.S.Kannabiran
15.S.Vadivelu
16.S.Gobinath
17. S.Krishna Prabha
18. S.Vadivu

... Respondents

Prayer:- This Second Appeal has been filed under Section 100 of Civil Procedure Code against the Judgment and decree passed in A.S.No.91 of 2003 dated 29.08.2005 on the file of Principal District Court, Erode, confirming the judgment and decree passed in O.S.No.91 of 1982 on the file of Sub Court, Dharapuram dated 21.12.1994.



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For Appellant : Mr.A.Sundaravanan
For Respondents 6 to 11 & 13 : V.P.Sengottuvvel
For Respondents 1,14,15,
17 & 18 : Mr.R.Babu
For Respondents 2,12 & 16 : Died
For Respondent-5 : Served - NA
Respondents 3 and 4 : Not ready in notice.

J U D G M E N T

It is informed by Mr.A.Sundaravadanan, learned counsel for the appellant would submit that the earlier counsels have now been elevated. When a communication was sent to the appellant to give them necessary instructions to appear in the matter, there has been no response to the letter. He was also given to understand that the appellant is no more. The 12th respondent also passed away on 16.12.2019 and details of the legal representatives had been given by the respondents. However, considering the fact that the appellant is no more and his legal heirs are no longer interested in prosecuting the case, the second appeal is dismissed as abated. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

srn

To

1.The Principal District Judge,
Erode,

2.The Subordinate Judge,
Dharapuram



Copy to

The Section Officer,
VR Section,
High Court,
Madras.

+1cc to Mr.B.Vijaya Kumar, Advocate (SR No.35641)

S.A.No.719 of 2008

RLD (CO)
PR (10/08/2021)