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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2021

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

S.A.No.731 of 2008

Jayachandran

... Appellant/I Defendant

versus

1. Govindasamy
2. Vijayathammal
3. Ramachandran

... Respondents

Second Appeal filed against the judgment and decree of the Principal Sub Court, Mayiladuthurai dated 23.02.2006 made in A.S.No.159/2005 confirming judgment and decree of District Munsif Court, Sirkali dated 31.08.2005 made in O.S.No.76 of 2002.

For Appellant : Mr.S.Sounthar

For Respondent : R1 and R2- Died
R3- set aside ex parte

JUDGMENT

The learned counsel for the appellant would submit that despite issuing several letters to the appellant, the appellant has not turned up so as to enable the counsel to prepare necessary application to bring on record the legal representative of the deceased respondents 1 and 2, who are none other than the parents of the appellant. Besides the appellant and the 3rd respondent, there are other legal representatives as well. Therefore Second Appeal stands abated as against the respondents 1 and 2. Third respondent remained ex parte.



2. Considering the fact that the suit is filed for bare injunction and the legal representatives of the respondents 1 and 2 have not been brought on record, the Second Appeal stands dismissed as abated. No costs.

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Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mrn

To

1. The Principal Sub Court, Mayiladuthurai
2. The District Munsif Court, Sirkali

Copy to:

The Section Officer, V.R.Section, High Court, Madras

S.A.No.731 of 2008

RK (CO)
R.K. (15.07.2021)