



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2021

CORAM

THE HON'BLE Ms.JUSTICE P.T.ASHA

S.A.No.447 of 2009

K.K.Ranganathan

... Appellant

Vs

1. Balakrishnan

2. Danabaghiam Ammal

... Respondents

PRAYER : Second Appeal is filed under Section 100 of code of Civil Procedure praying to set aside the judgment and decree dated 30.06.1998 made in A.S.No.94 of 1997 on the file of the Third Additional District Judge, Dharmapuri District at Krishnagiri, confirming the judgment and decree dated 14.07.1997 made in O.S.No.239 of 1996 on the file of the Subordinate Judge, Hosur.

For Appellant : Mr.Prem Narayanan

For Respondents : Not Ready in Notice (for R-1)  
: Died (for R-2)

J U D G M E N T

The learned counsel for the appellant has filed an affidavit of service along with a memo in which he has enclosed a cover sent to the sole appellant which has been returned with an endorsement 'deceased'. The letter has been returned from the addressee on 02.07.2021. The learned counsel would submit that the appellant's legal representatives are not in touch with him and therefore, he is unable to take steps to bring on record the legal representatives of the deceased appellant. Considering the fact that the appellant died, the learned counsel would therefore submit that he is unable to take further steps in the matter and that he may be discharged from appearing on behalf of the appellant, the appeal is dismissed as he has no instructions. The second respondent died as early as in the year 2009 and steps have not been taken till date. Therefore,



the second appeal stands abated as against the second respondent and the Second Appeal is also dismissed for default on the part of the legal representatives of the sole appellant in getting in touch with their counsel to date. No order as to costs.

WEB COPY

Sd/-  
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Third Additional District Judge,  
Dharmapuri District at Krishnagiri.
2. The Subordinate Judge, Hossur.

S.A.No.447 of 2009

RGN (CO)  
K.RK. (02.09.2021)