



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2021

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

S.A.No.657 of 2009

G.Balakrishnan

... Appellant

Vs.

1. Venkatachalagounder
2. Palaniappagounder
3. Palaniammal

... Respondents

PRAYER: Second Appeal filed under Section 100 of the Code of Civil Procedure against the Judgment and Decree, dated 08.11.2006 passed in A.S.No.78 of 2005 on the file of the Principal Subordinate Court, Gobichettipalayam by allowing the regular Appeal and dismissing the original suit dated 30.11.2005 passed in O.S.No.26 of 1998 on the file of the District Munsif Court, Sathiyamangalam.

For Appellant : Mr.K.Goviganesan

For Respondents R2, R3 : No appearance:

R1 : Died

JUDGMENT

The learned counsel for the appellant would submit that he is not been able to get any instruction from his client to bring on record the legal representatives of the deceased 1st respondent (contesting respondent) who passed away as early as on 28.05.2015.

2. Considering the same, the Second Appeal is abated as against the 1st respondent. The respondents 2 and 3 are not the contesting respondents. Hence, the Second Appeal is dismissed as abated. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar



vum
To

1. The Principal Subordinate Court,
Gobichettipalayam.
2. The District Munsif Court,
Sathiyamangalam.

Copy to

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

+1cc to Mr.K.GoviGanesan, Advocate SR.33699

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pm[co]
srg 13/08/2021