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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2021

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

S.A.No.1837 of 2004

Rathinam

...Appellant

vs.

1.Nachi Nadar
2.Karuppusamy
3.Karuppanna Nadar
4.K.Lakshmanan
5.K.Duraisamy
6.K.Ramasamy
7.K.Kumarasamy
8.Nallammal
9.K.C.Thangarasu
10.K.C.Doraisamy

...Respondents

Prayer: Second Appeal filed under Section 100 CPC, against the judgment and decree, dated 02.08.1999 and made in A.S.No.248 of 1998 on the file of the II Additional District Judge, Erode, partly reversing the judgment and decree dated 30.10.1998 and made in O.S.No.24 of 1998 on the file of the I Additional District Munsif Court, Erode and prays to set-aside the same insofar as reversing the decree of permanent injunction granted by the trial Court,

For Appellant : Mr.Selvaraju

For Respondents

for R1 : Died
for R2 : No appearance
for R3 to R10 : Refused

JUDGMENT

This Court by its earlier order dated, 27.04.2021, directed the appellant to take steps to bring on record the legal heirs of the deceased first respondent before the next hearing date and in the same order, this Court has made it clear that if steps are not taken, the second appeal shall stand automatically dismissed for non-prosecution.



2. Till date, no steps have been taken by the appellant to bring on record the legal heirs of the deceased first respondent in accordance with the earlier order of this Court dated 27.04.2021. Hence, the Second Appeal is dismissed for non-prosecution. However, liberty is granted to the appellant to file an application seeking for restoration of the second appeal. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

pvs

To

1.The II Additional District Judge,
Erode.

2.The I Additional District Munsif,
Erode.

S.A.No.1837 of 2004

GSM (CO)
PR (26/07/2021)