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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2021

CORAM

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

S.A.No.789 of 2009

and

M.P.No.1 of 2009

K.Athiappan

... Appellant

Vs.

1.Athiappa Gounder

2.K.Perumal

...Respondents

Prayer: Second Appeal filed under Section 100 of the Civil Procedure against the decree and judgment dated 24.04.2009 in A.S. No.116 of 2008 on the file of Subordinate Court, Rasipuram, reversing the decree and judgment dated 25.04.2006 in O.S. No.55 of 2002, on the file of District Munsif Court, Rasipuram.

For Appellant : No appearance

For Respondents : No appearance

JUDGMENT

When the matter is taken up for hearing there is no representation for the appellant. A perusal of the records shows that the sole appellant and first respondent died long back and till date no steps have been taken to implead the legal heirs of the deceased sole appellant and first respondent.

2.In view of the above, the Second Appeal is dismissed as abated. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

mtl/ham



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To

1. The Subordinate Judge,  
Rasipuram.

2. The District Munsif,  
Rasipuram.

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

S.A.No.789 of 2009  
and  
M.P.No.1 of 2009

GPL (CO)  
K.RK. (18.10.2021)