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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

S.A.No.590 of 2012  
and M.P.Nos.1 and 2 of 2012

1. Dhanakotti
  2. C.Subramani
  3. C.Dakshnamoorthy
- ...Appellants/Defendants

Vs.

Jagath Prabhu

...Respondent/Plaintiff

PRAYER: The Second Appeal filed under Section 100 of the Civil Procedure Code against the judgment and decree dated 29.02.2012 made in A.S.No.3 of 2011 on the file of the Additional District and Sessions Court (Fast Track Court), Vellore, Vellore District, confirming the judgment and decree dated 05.12.2008 made in O.S.No.73 of 2006 on the file of the Subordinate Court, Gudiyatham, Vellore District.

For Appellants : Mr.T.Dhanyakumar

For Respondent : Mr.V.M.G.Ramakannan

#### J U D G M E N T

The present Second Appeal has been filed against the judgment and decree dated 29.02.2012 made in A.S.No.3 of 2011 on the file of the Additional District and Sessions Court (Fast Track Court), Vellore, Vellore District, confirming the judgment and decree dated 05.12.2008 made in O.S.No.73 of 2006 on the file of the Subordinate Court, Gudiyatham, Vellore District.

2. Today when the matter is taken up for hearing, the learned counsel for the appellants would submit that the respondent died in the year 2013 itself and no steps have been taken till date.



3. Considering the fact that the legal heirs of the respondent were not brought on record, the Second Appeal is dismissed as abated. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

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Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Additional District and Sessions Court  
(Fast Track Court),  
Vellore, Vellore District.

2. The Subordinate Court, Gudiyatham,  
Vellore District.

+1 CC to Mr.V.M.G.Ramakkannan, Advocate, Sr.No. 40303.

S.A.No.590 of 2012  
and M.P.Nos.1 and 2 of 2012

KV(CO)  
NSK(03/09/2021)