



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2021
CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

S.A. (MD) .No.527 of 2014
and
M.P. (MD) .No.1 of 2014

George

... Appellant/Appellant
Plaintiff

Vs

Chellam @ Selvaraj (Died)

1. Thankam @ Ponamma
2. S.Ravichandran
3. S.Pushparani
4. D.Duraimony
5. S.Retnabai
6. S.Sivalingam

... Respondents/Respondents/
Defendants 1 to 7

Prayer: Second Appeal is filed under Section 100 of Civil Procedure Code, to set aside the Judgment and Decree, dated 22.11.2013, passed in A.S.No.21 of 2011 on the file of the Court of District Judge of Kanyakumari at Nagercoil, by confirming the Judgment and Decree dated 17.02.2011 passed in O.S.No.141 of 2007 on the file of the Court of Subordinate Judge at Padmanabhapuram and decreed the original suit as prayed for by allowing this Second Appeal with costs.

For Appellant : Mr.J.John Jeyakumar

For Respondents : Mr.C.Godwin,
For R1, R3 to R5.

Mr.D.Saravanan, For R6.
R2 - No appearance.

J U D G M E N T

The learned Counsel for the appellant submitted that the sole appellant had passed away and no steps have been taken to bring the legal heirs on record.

2. In view of the submission made by the learned Counsel for the appellant, the Second Appeal stands dismissed as abated. There



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S.A.(MD)



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shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (Crl side)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

kmm

To:

1. The Court of Subordinate Judge, Padmanabhapuram.
2. The file of the Court of District Judge of Kanyakumari, at Nagercoil.

Copy to

The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.D.SARAVANAN, Advocate (SR-25808[F] dated 10/08/2021)

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RK (13.08.2021) 2P 6C