



AS.No.535/2013

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

AND

THE HONOURABLE MRS. JUSTICE N.MALA

AS.No.535/2013 & MP.No.1/2013

- 1.Tmt.Ranganayakiammal
- 2.Tmt.Padmavathy
- 3.Thiru Thiruvankadasamy
- 4.Minor Kiruthika
rep.by her next friend Thiruvankadasamy
- 5.Minor Ramkumar
rep.by her next friend Thiruvankadasamy
- 6.Thiru Krishnamurthy
- 7.Minor Subraja
rep.by her next friend Krishnamurthy
- 8.Minor Lakshmanan
rep.by her next friend Krishnamurthy
- 9.Tmt.Devi

.. Appellants /
Defendants

Vs.

- 1.Thiru Jeyachandra
- 2.Thiru Justin Harris

.. Respondents
/ Plaintiffs



AS.No.535/2013

WEB COPY

Prayer:- Appeal Suit filed under Section 96 of CPC against order dated 31.01.2013 made in OS.No.163 of 2010 on the file of the learned IV Additional District and Sessions Judge, Coimbatore.

For Appellants : Mr.B.Vijayakumar

For RR 1 & 2 : Mr.D.Vijayakumar

JUDGMENT

[Judgment of the Court was delivered by S.S.SUNDAR, J.,]

- (1) Learned counsel for the appellants earlier reported the death of appellants 1, 3 and 6. However, steps were not taken. The learned counsel states that he is unable to get instructions from his clients to take steps.
- (2) Hence, the Appeal Suit is liable to be **dismissed as abated insofar as appellants 1, 3 and 6 are concerned.**
- (3) However, it is stated by the learned counsel for the appellants that notice had already been sent to the parties on 19.10.2022. Despite notice being served on the parties, the learned counsel for the appellants is unable to get instructions from



AS.No.535/2013

WEB COPY

his clients. Hence, this Court is of the view that no useful purpose will be served by issuing another notice to the appellants.

- (4) Hence, the Appeal Suit stands **dismissed for non prosecution.** No costs. Consequently, connected miscellaneous petition is closed.

[SSSRJ] [NMJ]
02.11.2022

AP

Internet : Yes

To

1.The IV Additional District and Sessions Judge
Coimbatore.

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



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AS.No.535/2013

S.S.SUNDAR, J.,

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AS.No.535/2013

02.11.2022