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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.02.2022

C O R A M :

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

S.A.No.32 of 2002
and C.M.P.Nos.9322 to 9324 of 2005
(Through Video Conference)

1) Ayiammal (died)
2) Saraswathi
3) Kamalam ... Appellants/Plaintiff in Trial Court

Vs.

1) Kaliappan
2) Senkaliappan
3) Narayanan ... Respondents 1 to 3/Defendants 2 to 4

4) Poovathal
5) Velusamy
6) Swaminathan
7) Selvaraj
8) Pappan ... Third parties /Respondents 5 to 9/
Respondents 4 to 8

9) Kaliammal
10) Krishnan
11) Rukmani
12) Minor Sathish
(rep by 11th Respondent Mother and natural guardian Rukmani)

* Appellants 2 and 3 and RR 9 to 12 brought on record as legal heirs of the deceased sole appellant vide order of Court dated 13.07.2010 made in C.M.P.No.9324 of 2005.

PRAYER: Second Appeal is filed against the orders dated 28.02.2001 in A.S.No.158/97 on the file of II Additional District Judge's Court, Coimbatore confirming the Decree and Judgment dated 17.12.1996 in O.S.No.602/89 on the file of III Additional District Munsif's Court, Coimbatore.



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For Appellants ... Ms.Kundavi for
Mr.C.R.Prasannan

For R-1 ... Dismissed vide Order
dated 19/08/2021

For RR 2 - 4, 6, ... No Appearance
& 9 -12

For RR 5 to 8 ... M/s.Sarrabhauman Associates

J U D G M E N T

Today, when the matter is taken up for hearing, Ms.Kundavi, learned counsel representing on behalf of Mr.C.R.Prasannan, learned counsel on record for the appellants, made a submission that as per the directions of this Court made in order dated 19.08.2021, steps have been taken to implead the legal heirs of the deceased first respondent.

2. The learned counsel for the appellants further submitted that inspite of the best efforts made by the learned counsel for the appellants, the appellants have not responded and as a result, the learned counsel is unable to get instructions from her client.

3. In view of the submissions made by the learned counsel for the appellants, this Second Appeal stands Dismissed for non-prosecution. No costs. Consequently connected miscellaneous petitions are closed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

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To:

1. The II Additional District Judges,
Coimbatore.



2. The III Additional District Munsif,
Coimbatore.

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Copy to

The Section Officer,
V.R. Section, High Court,
Madras.

+1cc to Mr.C.R.Prasanan, Advocate Sr.6770

S.A.No.32 of 2002

gpl[col]
srg 25/02/2022