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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2022

CORAM

THE HONOURABLE MRS. JUSTICE R. HEMALATHA

S.A.No. 1149 of 2009

and

M.P.No.1 of 2009

- 1.Kamakshi Ammal (Deceased)
- 2.Podjavady
- 3.Veeapattiran
- 4.Kattavarayan
- 5.Danalakshmi
- 6.Dayalan

... Appellants

(Appellants 2 to 6 brought on record as LR's of the deceased sole appellant vide order of the court dated 29.07.2016 made in M.P.Nos.1 to 3 of 2010 in S.A.No.1149 of 2009)

Vs.

- 1.Guna @ Gunasundari
- 2.Mahendran
- 3.Mohan (Deceased)
- 4.Sinnadurai
- 5.Sathai Ammal
- 6.Chandrabalan
- 7.Rajendran
- 8.Jagajeevanram
- 9.Natarajan
- 10.Krishnaraj
- 11.Ganesan
- 12.Balasubramani
- 13.Andal
- 14.M.Sumalatha

... Respondents 1 to 10/LR's of the Respondents 11 to 14

(Respondents 11 & 12 brought on record as LR's of the deceased sole appellant vide order of the court dated 29.07.2016 made in M.P.Nos.1 to 3 of 2010 in S.A.No.1149 of 2009)

(Respondents 13 & 14 brought on records as LR's of the deceased R3 vide order of court dated 02.09.2016 made in C.M.P.No.9089 of 2016 in S.A.No.1149 of 2009)

Prayer: Second Appeal filed under Section 100 CPC, 1908 against the decree and judgment dated 26.06.2009 in A.S. No.96 of 2006, on the file of the II Additional District Judge, Pondicherry,



upholding the decree and judgment dated 21.11.1995, in O.S. No.20 of 1990, on the file of the Principal Subordinate Judge, Pondicherry.

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For Appellants : No appearance

For RR1, 2, 4 to 10 : Ms.N.Mala

JUDGMENT

Today, when the matter is taken up for hearing, there is no representation for the appellants. It is represented by the learned counsel appearing for the respondents that the eighth respondent died on 22.09.2017 and till date no steps have been taken to implead the legal heirs of the deceased eighth respondent.

2.In view of the above, the Second Appeal stands abated. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

mtl

To

1.The II Additional District Judge,
Pondicherry.

2.The Principal Subordinate,
Pondicherry.

Copy To

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

+1cc to Ms.N.Mala, Advocate SR.No.18752

S.A.No. 1149 of 2009
and M.P.No.1 of 2009

AJS (CO)
GMY (31/03/2022)