



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2022

CORAM :

THE HONOURABLE Ms.JUSTICE P.T.ASHA

S.A.No.635 of 2006

1. Rangasamy Naicker
2. Arikrishna Naicker

...Appellants

Vs.

Lakshmanan (Died)

2. Chinna Kulandai
3. Gopal (Minor)
4. Lakshmi (Minor)
5. Varadhan (Minor)

Minors 3 to 5 are represented by
Mother and guardian, the 2nd respondent

6. Dhanalakshmi
7.L.Sampath
8.L.Shanmugam
9.R.Vijayalakshmi
10.V.Chitrarasi

[R6 to R10 brought on records Lrs of the deceased
1st respondent Lakshmanan vide Court order
dated 27.07.2021 made in C.M.P.Nos.544, 547, 550
and 552 of 2020 in S.A.No.635 of 2006] ...Respondents

Prayer:- This Second Appeal has been filed under Section 100 of Civil Procedure Code against the judgment and decree dated 24.02.2006 and passed by the learned Subordinate Judge, Gingee made in A.S.No.39 of 2005 against the decree and judgment dated 23.09.2003 on the file of the



Principal District Munsif, Gingee and made in O.S.No.370 of 1992 and pray this Court to set aside the order of the lower appellate Court.

For Appellants : Ms.S.Sasikala

Respondent-1 : Died

For Respondent-2 : Mr.V.R.Appaswamee

For Respondents
3 to 5 : Minors, rep by R2

For Respondents
6 to 10 : Not ready in notice

J U D G M E N T

From the records, it is seen that as early as on 13.08.2021, it was reported by the learned counsel for the appellants that the first appellant is dead and sought time to take steps to bring on record the LRs of the deceased 1st appellant. Therefore, she was directed to take steps to bring on record the LRs of the deceased first appellant. It was made clear in that order that if steps are not taken, the second appeal will automatically stand abated.



2. Though the learned counsel for the appellants had taken time to take steps to bring on record the legal heirs of the deceased 1st appellant, steps were not taken to date. In the light of the order dated 13.08.2021, no further orders are required in this second appeal. The second appeal is therefore dismissed as abated. No costs.

13.12.2022

Index :Yes/No

Internet:Yes/No

srn

To

1. The Subordinate Judge, Gingee
2. The Principal District Munsif, Gingee
3. The Section Officer, V.R.Section, High Court, Madras



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P.T.ASHA.J,

srn

S.A.No.635 of 2006

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