



A.S.No.236 of 2007
and M.P.No.1 of 2013

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2022

CORAM

THE HONOURABLE MRS. JUSTICE **R.HEMALATHA**

A.S.No.236 of 2007

and

M.P.No.1 of 2013

K.Kuppusamy

... Appellant

Vs.

1.A.Chinnammal

2.M.Sivagamy

3.K.Vallinayagi

4.S.Palanichamy

5.S.Velusamy

6.S.Periyasamy

7.Rangasamy

8.S.Baby

9.R.Dhanalakshmi

10.R.Senthil

... Respondents

PRAYER: First Appeal filed under Section 96 of C.P.C., against the fair and decreetal order dated 10.03.2006 made in O.S.No.196 of 2001 on the file of the learned Additional District and Sessions Judge, Fast Track Court No.2, Coimbatore.



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For Appellant : No appearance
For RR1, 3 & 9 : Ms.Sneha for
M/s.Sarvabhauman Associates

ORDER

Today, when the matter is taken up for hearing, there is no representation for the appellant.

2.It is represented by the learned counsel appearing for the respondents 1, 3 & 9 that the appellant and some of the respondents died long back and that no steps have been taken till date to implead their legal heirs.

3.In view of the above, the First Appeal stands abated. No costs. Consequently, connected Miscellaneous Petition is closed.

18.10.2022

Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
bga



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R. HEMALATHA, J.

bga

To

1.The Additional District and Sessions Judge, Fast Track Court No.2,
Coimbatore.

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

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This first appeal is posted today for “being mentioned” at the instance of the learned counsel appearing for the respondents.

2.When the matter came up for hearing on 18.10.2022, it was represented by the learned counsel for the respondents 1, 3 & 9 that the sole appellant and some of the respondents are no more and till date no steps have been taken by the appellant to implead their legal heirs. Now the learned counsel for the respondents would contend that the sole appellant is alive and that the second respondent alone is dead.

3.Even today there is no representation on behalf of the appellant and hence, the first appeal is dismissed for non-prosecution and the earlier orders passed on 18.10.2022 is recalled.

28.11.2022

mtl



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R. HEMALATHA, J.

mtl

To

- 1.The Additional District and Sessions Judge, Fast Track Court No.2,
Coimbatore.
- 2.The Section Officer, VR Section, High Court, Madras.

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