



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

CMA(MD)No.218 of 2008

1.Deivadanam

2.Agnes

... Respondents/Appellants

vs.

1.Megda Edith Jagannathan

2.Lionel J.Daniel

3.Theodore Daniel @ Daniel

4.A.Satheesh Fells

5.Arulbai Fells(Died)

6.Rose Abel(Died)

7.Lilly Janet Bai @ Lilly Rose Abel

8.Rositta Selva Jeba Jothiline @ Rositta Christopher

9.Mahil Vidhya Abeline

10.Sudha Fells

11.Geetha Santhini Fells

... Respondents/Respondents

(R7 to R9 brought on record as legal heirs of the deceased R6. R10 & R11 are brought on record as legal heirs of the deceased R5 and R4 recorded as LRS of the decd. R5 vide order dated 15.02.2013 in M.P. (MD)Nos.1 & 2/2010 and M.P.(MD)Nos.1 to 3/2009 in CMA(MD) No.218/2008.

Appeal filed under Section 299 of the Indian Succession Act, 1925, against the order and decretal order of the First Additional Subordinate Judge, Nagercoil, passed in Probate O.P.No.4 of 1997 dated 31.12.2004.

For Appellant : Ms.J.Anandhavalli

For R1 & R2 : No appearance

For R4, R7 to R9 & R11 : Mr.N.Tamilmani

JUDGMENT

The learned counsel for the appellants reports no instructions from the appellants. She also states that the 2nd respondent is no more and the appellants have not bothered to furnish the particulars of the legal heirs of the 2nd respondent, despite repeated requests by the counsel. She has also filed a memo dated 14.02.2022 to that effect.

2. Recording the memo, this Civil Miscellaneous Appeal is dismissed for non prosecution. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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<https://hcservices.ecourts.gov.in/hcservices/>



To

Ist Additional Subordinate Judge,
Nagercoil.

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Copy to:

The Section Officer,V.R. Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.N.TAMILMANI, Advocate (SR-6131[F] dated 15/02/2022)

+1 CC to M/s.J.ANANDHAVALLI, Advocate (SR-6151[F] dated
15/02/2022)

CMA(MD)No.218 of 2008

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MGJ(22.02.2022) 2P 6C