



S.A.(MD)No.328 of 2005

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 09.11.2022

CORAM: **JUSTICE N.SESHASAYEE**

S.A(MD).No.328 of 2005

Saramma @ Omana

... Appellant/Appellant/Plaintiff

Vs

1.Santhakumari Amma
2.Ramabai
3.Thangu
4.Sreekumaran
5.Sreekumari
6.Harikumar
7.Thangamma Varghese
8.Joseph
9.Raji
10.Thomas
11.Mathew
12.Chakko
13.Sahidanandam
14.S.Ananth

... Respondents/Respondents/
Defendants 1,2,4 to 15

(R2 to R6 and R11 to R14 set ex-parte. Hence, notice is not necessary-given up)

Prayer : Second Appeal is filed under Section 100 of Code of Civil Procedure, to set aside the judgment and decree passed in A.S.No.263 of 2003 dated 19.11.2004 on the file of the District Judge, Kanyakumari at Nagercoil confirming the decree and judgment in O.S.No.73 of 1999 on the file of the Subordinate Court, Padmanabhapuram dated 09.12.2003.



WEB COPY



S.A.(MD)No.328 of 2005

For Appellant : Mr.Gomathi Sankar
For Respondents : No appearance

JUDGMENT

It is informed this Court that the first respondent has died and she is the contesting defendant in the suit. Steps have not been taken to implead her legal heirs. Hence, the Second Appeal is dismissed as abated. No costs.

09.11.2022

Index : Yes/No

Internet: Yes/No

Rmk

To

- 1.The District Judge, Kanyakumari at Nagercoil.
- 2.The Subordinate Judge, Subordinate Court, Padmanabhapuram.
- 3.The Section Officer,

VR Section,

Madurai Bench of Madras High Court,

Madurai.



WEB COPY



S.A.(MD)No.328 of 2005

N.SESHASAYEE, J.,

Rmk

S.A(MD).No.328 of 2005

09.11.2022