



S.A.No.1719 of 1991

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2023

CORAM

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

S.A.No.1719 of 1991

Panchalai Ammal
Represented by her Power Agent
S.Ponnusamy Naicker

... Appellant

Vs.

1.Aboorvammal (deceased)
2.Sundara Naicker (deceased)
3.Nagappa Naicker (deceased)
4.Tmt.Kuppu @ Kuppammal
5.Kamasalammal
6.Mani
7.Vijaya

...Respondents

(RR3 & 4 brought on record as LR's of the deceased first respondent vide order of Court dated 03.08.2006, made in CMP.Nos.8282 to 8284 of 2005 in S.A.No.1719 of 1991)

(RR5 to 7 brought on record as LR's of the deceased second respondent vide order of Court dated 12.11.2014 made in CMP.Nos.3520 to 3522 of 2007 in S.A.No.1719 of 1991)

(R4 to R7 dismissed)



S.A.No.1719 of 1991

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Prayer : Second Appeal filed under Section 100 CPC, 1908 against the decree and judgment dated 04.12.1989 in A.S.No.60 of 1988, on the file of the District Court, Chengai - Anna at Chengalpet, reversing the decree and judgment dated 22.03.1988, in O.S.No.388 of 1985, on the file of the District Munsif, Chengalpet.

For Appellant : Mr.J.R.K.Bhavanantham
For RR1 & 2 : No appearance
RR4 to 7 : Dismissed

JUDGMENT

A perusal of the records shows that respondents 1 & 2 died and their legal heirs were impleaded as respondents 3 to 7. Subsequently, the third respondent died and since his legal heirs were not impleaded, the second appeal was dismissed as abated as against the third respondent. The Second Appeal was dismissed as against the respondents 4 to 7 as per the order of this Court dated 22.02.2023 for non compliance of the requirements of the Registry. Thus, the second appeal is dismissed as against all the respondents.



S.A.No.1719 of 1991

WEB COPY

2.In view of the above, the Second Appeal is now dismissed.

No costs.

05.06.2023

Index: Yes/No

Internet: Yes/No

Speaking/Non-Speaking order

mtl



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S.A.No.1719 of 1991

R. HEMALATHA, J.

mtl

To

- 1.The District Court, Chengai - Anna at Chengalpet.
- 2.The District Munsif, Chengalpet.
- 3.The Section Officer, VR Section, High Court, Madras.

S.A.No.1719 of 1991

05.06.2023