



A.S.No.40 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2023

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

A.S.No.40 of 2013
Cross Objection SR.No.65984 of 2022
C.M.P.No.11986 of 2022

1.K.Arumugham
2.K.Krishna Gounder @ Krishnan ... Appellants

Vs

1.Subbathal
2.Karunaiammal
3.Deivathal (Died)
4.Ponmani @ Ponnammal @ Ponnathal (Died)
5.Minor Abiram
6.Minor Kavindran
(both minors are represented by their
Chithi Vasanthi, Jamin Kaliapuram, Pollachi)
7.Nataraj
8.Sakunthala Mani
9.Parvathi
10.Selvi ... Respondents

(R3 died, RR5 and 6 are brought on record as LR's of the R3 (Deivathal) vide Court order dated 07.07.2022 made in C.M.P.No.18922 of 2021 in A.S.No.40 of 2013 and R4 died, RR7 to 10 are brought on record as LR's of the R4 (Ponmani @ Ponnammal @ Ponnathal) vide Court order dated 07.07.2022 made in C.M.P.No.18924 of 2021 in A.S.No.40 of 2013)

PRAYER: This First Appeal has been filed under Section 96 of the Civil Procedure Code, seeking to set aside the judgment and decree passed by the learned Additional District Judge and Fast Track Court No.IV, Coimbatore at Tiruppur dated 29.02.2012 passed in O.S.No.559 of 2010.



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For Appellants : No appearance

For Respondents : Mr.B.Kumarasamy for R1
R2 - Not ready in notice
R3 & R4 died
RR5 to 10 - Not ready in notice

ORDER

When the matter was taken up for hearing on previous occasions dated 18.07.2023 and 26.07.2023, there was no representation on behalf of the appellants and therefore the matter was directed to be listed on next date of hearing under the caption for "dismissal".

2.Even today, when the matter came up for hearing, there was no representation on behalf of the appellants. Hence, the above First appeal is dismissed for default. Consequently, connected application is also closed.

28.07.2023

Index :Yes/No
Speaking order: Yes/ No
Neutral Citation: Yes/ No

K.KUMARESH BABU,J.



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