



A.S.No.598 of 2005

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2023

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

A.S.No.598 of 2005
and C.M.P.No.9124 of 2005

P.S.Ulagarakshagan

...Appellant

-Vs-

1. R.Gopal

2. G.Rukmani

3. Pandurangam

... Respondents

Prayer: First Appeal filed under Section 96 of CPC against the Judgment and Decree dated 09.02.2004 made in O.S.No.10488 of 1996 on the file of the IIIrd Additional Judge, City Civil Court, Chennai.

For Appellant	: Mr.G.Ethirajulu
For R1	: Died (steps due)
For R2	: Not ready in notice
For R3	: Mr.S.Nagarajan

JUDGMENT

This appeal suit has been filed challenging the Judgment and Decree dated 09.02.2004 made in O.S.No.10488 of 1996 on the file of the IIIrd Additional Judge, City Civil Court, Chennai.

2. It is seen that the sole appellant died in the year 2018 itself.



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Even after a period of five years, the legal representatives of the deceased appellant did not take any steps to implead themselves as parties.

3. The learned counsel for the appellant also submitted that already they had written a letter to the parties, but no reply has been received so far. It shows that the legal representatives of the deceased appellant had no interest to proceed with the appeal.

4. In view of the above, this Appeal Suit is dismissed as abated. However, the legal representatives of the deceased appellant are at liberty to approach this Court to set aside the order of abatement, in the manner known to law. Consequently, connected Miscellaneous petition is closed. There shall be no order as to costs.

12.12.2023

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
mn

G.K.ILANTHIRAIYAN. J.



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mn

To

The IIIrd Additional Judge, City Civil Court, Chennai.

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