



AS.No.60/2016

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

AND

THE HONOURABLE MR. JUSTICE C.KUMARAPPAN

AS.No.60/2016

R.Thirugnanasambandam

.. Appellant

Vs.

1.Smt.Gangaboi

2.Smt.Saroja

3.Smt.Suryakumari

4.Smt.Rajeswari

5.Smt.Valarmathi

6.The Secretary

Chengalpattu Cooperative Housing
Society, 50 Feet Road, Anna Nagar
Chengalpattu.

7.The Manager

State Bank of India
Chengalpattu Branch
Chengalpattu.



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8.The Post Master
Head Post Office
Chengalpattu.

9.The Secretary
Cooperative Urban Bank Ltd
Chengalpattu.

10.The Manager
Kiran Finance
891, Ekambara Dabedar Street
Alandur, Chennai 600 016.

.. Respondents

Prayer:- Appeal Suit filed under section 96 and Order 41 Rule 1 CPC against the judgment and decree dated 26.10.2015 passed in OS.No.278/2005 on the file of the learned Additional District Judge, Chengalpattu.

For Appellant : Mr.K.Boopalan for
Mr.J.R.K.Bhavanantham

JUDGMENT

[Judgment of the Court was delivered by S.S.SUNDAR, J.,]

(1) The 3rd respondent in the present appeal who is one of the plaintiffs in the suit in OS.No.278/2005 died and no steps were taken to



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bring on record, the legal representatives of the deceased/3rd respondent.

- (2) The learned counsel appearing for the appellant today report that the appellant is no more. It is stated that the suit is filed for partition by the sisters against the appellant, who is the 1st defendant in the suit. As against the decree for partition, the above appeal is filed.
- (3) Since the 1st defendant/brother of plaintiffs is no more and it is admitted that the 1st defendant/appellant herein died as a bachelor, the legal representatives of the deceased/appellant may not be interested in prosecuting the appeal. This Court need not keep the appeal pending having regard to the facts above narrated. The Appeal suit is liable to be dismissed for non prosecution.
- (4) Accordingly, **AS.No.60/2016 stands dismissed for non prosecution. No costs.**

[SSSRJ] [CKJ]

05.06.2023

AP

Internet : Yes



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To

1.Additional District Judge, Chengalpattu.

2.The Section Officer

VR Section, High Court

Chennai.



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S.S.SUNDAR, J.,

AND

C.KUMARAPPAN, J.

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