



S.A.No.90 of 2008

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2023

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

S.A.No.90 of 2008

V.Arunagiri

...Appellants

Vs

1.Banumathi

2.Sukumar

3.Kalavathi

4.Selvi

5.SundaraVadivelu

6.Yuvaraj

7.Jamunarani

Kittammal(died)

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Kuppammal (died)

8. N. Damodharan

9. Rajam

10. N. Govindan

... Respondents

Prayer: This Second Appeal is filed under Section 100 of C.P.C against the Judgment and preliminary decree dated 07.12.2006 made in A.S.No.51 of 2006 on the file of the Principal District Judge, Erode reversing the Judgment and Decree dated 22.08.2005 made in O.S.No.174 of 1999 on the file of the I Additional Sub-Judge, Erode.

For Appellants : Mr. T.S. Muthu (No Appearance)

For Respondents 1 to 5 : Mr.N.V. Nagasubramaniam for
Mr.S. Kandav Varun

For other Respondents : No Appearance

JUDGMENT



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When the matter was listed on 11.12.2023 under the caption “for dismissal” the learned counsel for the appellant submitted that the sole appellant died on 01.09.2017.

2. It appears that no application has been filed for more than five years and six months. Even today, the learned counsel for the appellant seeks for a short accommodation for filing an application for impleading the legal heirs. Hence, there is no purpose in keeping this appeal pending.

3. In the result this second appeal is dismissed for default. No costs.

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smn

Index : Yes/No

Speaking order/non-speaking order

To:

1. The Principal District Judge, Erode
2. The I Additional Sub-Judge, Erode

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C.KUMARAPPAN, J.,

smn

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