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S.A.Nos.946, 947 & 948 of 2009
and M.P.Nos.1, 1 & 1 of 2009

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2023

CORAM:

THE HONOURABLE MRS. JUSTICE R. HEMALATHA

S.A.Nos.946, 947 & 948 of 2009

and

M.P.Nos.1, 1 & 1 of 2009

P.Pachaiyappa Mudaliar ..Appellant in all appeals
vs.

1.T.Prema @ Premakumari Thiayagarajan
2.T.Sivaganesan ..Respondents in S.A.No.946 of 2009

T.Prema @ Premakumari
Thiayagarajan ..Respondent in S.A.No.947 of 2009

1.T.Prema @ Premakumari Thiayagarajan
2.Thiayagarajan (Deceased)
3.T.Sivaganesan ..Respondents in S.A.No.948 of 2009

PRAYER in S.A.No.946 of 2009: Second Appeal filed under Section 100 of Civil Procedure Code against the decree and Judgment dated 06.09.2008 in AS.No.79 of 2006 on the file of the Sub Court, Kancheepuram, allowing the appeal and reversing the decree and Judgment dated 23.12.2005 in OS.No.525 of 1997 on the file of the Additional District Munsif Court, Kancheepuram.

PRAYER in S.A.No.947 of 2009: Second Appeal filed under Section 100 of Civil Procedure Code against the decree and Judgment dated 06.09.2008 in AS.No.12 of 2007 on the file of the Sub Court, Kancheepuram, reversing the decree and Judgment dated 23.12.2005 in OS.No.201 of 1998 on the file of the Additional District Munsif Court,



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Kancheepuram.

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PRAYER in S.A.No.948 of 2009: Second Appeal filed under Section 100 of Civil Procedure Code against the decree and Judgment dated 06.09.2008 in AS.No.13 of 2007 on the file of the Sub Court, Kancheepuram, reversing the decree and Judgment dated 23.12.2005 in OS.No.1142 of 1996 on the file of the Additional District Munsif Court, Kancheepuram.

In S.A.No.946 of 2009 :

For Appellant	: Mr.P.Seshadri
For R1	: No appearance
For R2	: Ms.A.Sumathy

In S.A.No.947 of 2009 :

For Appellant	: Mr.P.Seshadri
For Respondent	: Ms.A.Sumathy

In S.A.No.948 of 2009 :

For Appellant	: Mr.P.Seshadri
For R1	: No appearance
For R2	: Ms.A.Sumathy

COMMON JUDGMENT

Today when the matter is taken up for hearing, it is represented by the learned counsel for the appellant that the first respondent is no more. Till date no steps have been taken by the appellant to implead the legal heirs of the deceased first respondent. It is further represented by the



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learned counsel for the appellant that they could not get any instructions from the appellant. Learned counsel for the respondents informed this Court that the suit property is sold by the appellant and purchaser in turn had sold the same to some other third party.

2.In view of the above, these Second Appeals are dismissed as abated. No costs. Consequently, connected miscellaneous petitions are closed.

17.04.2023

mtl

Index : Yes/No

Speaking / Non-speaking order

To

1. The Sub Court, Kancheepuram
2. The Additional District Munsif Court, Kancheepuram.
3. The Section Officer, VR Section, High Court, Madras.



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R.HEMALATHA, J.

mtl

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