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S.A.Nos.9 & 935 of 2004

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2023

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

S.A.Nos.9 & 935 of 2004
and C.M.P.Nos.2269 & 7505 of 2004

S.A.No.9 of 2004 :

1.K.N.Subramania Mudaliar
2.Bhavani
3.Nithyanandham
4.Minor.Sumathi
5.Minor.Parimala
6.Minor.Kennady

... Appellants

(Minors 4 to 6 rep. by mother & guardian Bhavani 2nd appellant)

..Vs..

1.Kumaran
2.Jayakanthan
3.Chandra

... Respondents

S.A.No.935 of 2004 :

K.N.Subramania Mudaliar

... Appellants

..Vs..

1.Chakravarthi Mudaliar
2.Parasurama Mudaliar
3.Narayanasamy Mudaliar

... Respondents



S.A.Nos.9 & 935 of 2004

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COMMON PRAYER : Second Appeals filed under Section 100 C.P.C., against the decree and judgment dated 28.07.2003 in A.S.Nos.27 & 29 of 2003 on the file of the Principal District Court, Vellore, upholding the decree and judgment in O.S.Nos.54 & 52 of 2000 dated 31.01.2003 on the file of the Additional District Munsif Court, Vellore.

In S.A.No.9 of 2004 :

For Appellants : No appearance
For R2 & R3 : Mr.S.Karthikeyan

In S.A.No.935 of 2004 :

For Appellant : Mr.K.Selvakumar
For R2 & R3 : Mr.S.Karthikeyan

COMMON JUDGMENT

A perusal of the records shows that K.N.Subramania Mudaliar (the first appellant in S.A.No.9 of 2004 and the sole appellant in S.A.No.935 of 2004) died even before 2023 and till date no steps have been taken by the appellants to implead the legal heirs of the deceased appellant. Learned counsel for the appellant in S.A.No.935 of 2004 also reports no instructions for the appellant.



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

05.04.2023

Index : Yes/No
Internet : Yes/No
mtl

To

1. The Principal District Court, Vellore.
2. The Additional District Munsif Court, Vellore.
3. The Section Officer, V.R. Section, High Court, Madras.



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