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S.A.No.1498 of 2010 & M.P. No.1 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2023

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

S.A.No.1498 of 2010

&

M.P. No.1 of 2010

Sasikumar

... Appellant

..Vs..

1. Ellammal

2. Andal

3. Selvi

4. Banu

5. Manthiri Gounder

... Respondents

PRAYER : Second Appeal filed under Section 100 of C.P.C., against the decree and judgment dated 06.10.2009 passed in A.S. No.68 of 2007 on the file of Sub-Court, Arni, Thiruvannamalai District, modifying the decree and judgement dated 27.04.2007 in O.S.No. 151 of 1999 on the file of the District Munsif Court, Polur, Thiruvannamalai District.

For Appellant

: No appearance

For R5

: Ms. V. Srimathi

JUDGMENT

The learned counsel for the appellant reported no instructions for the appellant on 13.12.2022. Hence, the Registry was directed to issue drafted notice to the sole appellant and list the matter after serving notice to him.



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2. It is seen from the notice papers that the drafted notice sent to the sole appellant returned with an endorsement "the addressee deceased". Since the sole appellant is dead long back and no steps have been taken to implead his legal heirs till date, the Second Appeal is dismissed as abated. No costs. Consequently connected miscellaneous petition is dismissed.

06.04.2023

Index : Yes/No
Internet : Yes/No
bga

To

1. The Subordinate Judge, Arni, Thiruvannamalai District.
2. The District Munsif, Polur, Thiruvannamalai District.
3. The Section Officer, V.R. Section, High Court, Madras

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