



S.A.No.1979 of 2002

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2023

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

S.A.No.1979 of 2002

A.V. Venkat Rao

... Appellant

..Vs..

- 1.A.V. Rubachandran
2. Dhanavanthi Bai (died)
3. Kasthuri Bai
4. Vasantha Thulasiraman (died)
- 5.Vijayalakshmi Bai
6. Yamini Thara Bai
7. Meera Bai
8. Ashok Rao
9. Meera Bai
- 10.T. Thushantha
11. T. Kaveetha
12. T. Sugeetha

... Respondents

RR5 to 9 brought as LR's of the deceased R2 viz.,Tmt. Danavanthi Bai and R4 died - RR10 to 12 brought on record as LR's of the deceased R4 viz., Vasantha Thulasiraman vide Court order dated 05.01.2022 made in CMP Nos.21331, 21333, 21427, 21434, 21435 of 2021.

PRAYER : Second Appeal filed under Section 100 C.P.C., against the decree and judgment dated 19.06.2002 in A.S.No.56 of 2001 on the file of the Principal District Judge, Vellore, upholding the decree and judgment in O.S.No.571 of 1996 dated 28.09.2001 on the file of the Principal District Munsif, Vellore.



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For Appellant : No appearance
For R1 to R3 : M/s. R. Kamalarani
R5, R7 & R10 to R12 : No appearance

JUDGMENT

When the matter is taken up for hearing today, there is no representation on behalf of the appellant. Learned counsel for the respondents 1 to 3 is present.

2. A perusal of the records shows that the Second Appeal was dismissed as abated on 30.10.2014 as no steps were taken to implead the legal heirs of the sole appellant and subsequently restored to file in the year 2021. However, till date no steps have been taken to implead the legal heirs of sole appellant, who died on 07.12.2008.

3. In view of the same, the Second Appeal is dismissed as abated. No costs.

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Index : Yes/No
Internet : Yes/No
bga



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To
WEB COPY

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



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