



S.A.No.1231 of 2000

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

S.A.No.1231 of 2000

1.Fathima Beevi (died)
2.Nabeesa Beevi (died)
3.Sulthan Mohideen
(death of the appellants 1 & 2 is recorded
vide Court order dated 23.12.2022) ... Appellants

-Vs-

1.Mariam Beevi
2.Dr.Shahul Hameed
3.Ponnisha Beevi ...Respondents

PRAYER: Second Appeal filed under Section 100 of Code of Civil Procedure, against the judgment and decree of the Subordinate Court, Pattukkottai in A.S.No. 15 of 1999 dated 29.03.2000 reversing the judgment and decree of the District Munsif's Court, Pattukkottai made in O.S.No.587 of 1991, dated 20.09.1999.

For Appellants : No-appearance
For R1 : Mr.P.Thiagarajan
R2 & R3 : Died



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JUDGMENT

By order dated 23.12.2022, this Court dismissed the appeal as abated as against the appellants 1 & 2. When the matter came up for hearing on 20.12.2022, the learned counsel appearing for the appellants informed this Court that the third appellant and the first respondent also dead.

2. Today when the matter taken up for hearing, there is no representation for the appellants and no steps have been taken to bring on record the legal representatives of the third appellant. Hence, the appeal is dismissed for default with costs of Rs.1,00,000/- (Rupees One Lakh only) payable by the appellants to the Registry. In case, the appellants have filed any application to restore the appeal, Registry is directed not to take the application on file unless the appellants deposits the said amount imposed by this Court.

25.04.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

- 1.The Subordinate Court,
Pattukkottai.
- 2.The District Munsif's Court,
Pattukkottai.
- 3.The Record Keeper,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.



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P.VELMURUGAN, J.

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