



S.A.No.1862 of 2002

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.04.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

S.A.No.1862 of 2002

T.Rajaram

....4th Defendant/Appellant/
Appellant

-Vs-

1.Rajalakshmiammal

...Plaintiff/1st Respt./
Respondent

2.Sankaranarayanan

...2nd Defdt./2nd Respt./
Respondent

3.Seetharama Reddiar

...3rd Defdt./3rd Respondent/
Respondent

4.Chinnakkammal

...5th Defdt./4th Respt./
Respondent

PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code, against the judgment and decree dated 15.03.2002 passed in A.S.No.1 of 2002 by the Additional District Court (Fast Court), Virudhunagar, confirming the judgment and decree dated 15.10.1998 passed in O.S.No.127 of 1998 by the District Munsif Court, Virudhunagar.



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For Appellant : Mrs.J.Anandavalli
For R1 : Mr.S.Parthasarathy
For R2&R3 : M/s.Vijayakumari Natarajan

J U D G M E N T

When the second appeal is taken up for hearing today, the learned counsel appearing for the appellant filed a memo, dated 03.04.2023, stating that the sole appellant died. Therefore, the counsel sent a registered letter to the appellant and the same was returned with an endorsement “deceased” and the counsel is not able to ascertain the legal heirs to file a petition to implead the legal representatives of the deceased sole appellant.

2.The learned counsel appearing for the first respondent also filed a memo, dated 03.04.2023, stating that the first respondent died on 02.11.2011. So far no steps have been taken.



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3.In view of the memo filed by the learned counsel appearing for the appellant, the Second Appeal is dismissed as abated. No costs.

13.04.2023

NCC:Yes/No

Index:Yes/No

Internet:Yes/No

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To

1.The Additional District Court
(Fast Court),
Virudhunagar,

2.The District Munsif Court,
Virudhunagar.

3. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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P.VELMURUGAN,J.

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