



S.A.No.947 of 2004

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.08.2023

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

S.A.No.947 of 2004

1.Thiruvikaraman Pillai

2.Sheela @ Muthulakshmi

...Appellants

vs.

Sundari

... Respondent

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure against the Judgment and Decree dated 14.07.2003 in A.S.No. 49 of 1999 on the file of the Subordinate Judge, Kuzhithurai reversing the Judgment and Decree dated 09.07.1999 in O.S.No.6 of 1976 on the file of the I Additional District Munsif, Kuzhithurai.

For Appellants : Mr.S.Ramesh

For Respondent : No appearance

JUDGMENT

When the matter was taken up for hearing on 12.07.2011, it was brought to the knowledge of this Court that the first appellant and the



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sole respondent passed away. The learned counsel appearing for the appellants sought time to bring on record the legal representatives of the deceased first appellant and the deceased sole respondent.

2. Thereafter, the case was listed on several occasions. However, till date, no steps have been taken by the learned counsel for the appellants to bring on record the legal representatives of the deceased first appellant and the deceased sole respondent. In view of the fact that the sole respondent died long before, this appeal cannot survive and it gets abated automatically. Therefore, the Second Appeal is dismissed as abated. No costs.

03.08.2023

NCC:Yes/No

Index:Yes/No

Speaking/Non-speaking order

mbi



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To

- 1.The Subordinate Judge, Kuzhithurai
- 2.The I Additional District Munsif, Kuzhithurai.
- 3.The Section Officer,
Vernacular Records Section,
Madurai Bench of Madras High Court,
Madurai.



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KRISHNAN RAMASAMY, J.

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