



A.S.No.21 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2024

CORAM

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

A.S.No.21 of 2016

and

C.M.P.No.761 of 2016

Mrs.V.Kala (Deceased)

A2.K.Velu

A3.V.Kokila

A4.V.Gokul

A5.V.Vignesh

[Sole appellant died, A2 to A5 are brought on record as L.R's of deceased sole appellant, vide order of Court dated 08.12.2023 made in C.M.P.No.25093, 25097 and 25098 of 2023 in A.S.No.21 of 2016(GKIJ)]

...Appellants

..Vs..

1.M.Ramachandran

2.G.Sivlokaraj

3.N.Ashok Kumar

... Respondents

Prayer: Appeal Suit filed under Section 96 of C.P.C., against the decree and judgment dated 31.07.2015 passed in O.S.No.325 of 2005 on the file of the Additional District Judge at Chengalpet.

For Appellant	:	No appearance
For R1	:	Died
For R2	:	Mr.P.Navaneetha Krishnan
For R3	:	Mr.D.Selvaraju



A.S.No.21 of 2016

ORDER

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The learned counsel for the appellant is absent.

2. Mr.D.Selvaraju, learned counsel appearing for the third respondent contended that the unsuccessful plaintiff is the appellant herein. He filed a suit for specific performance of Ex.A1 suit sale agreement in O.S.No.325 of 2005. After trial, the suit was dismissed and hence the appeal.

3. R1 is the first defendant the owner of the property with whom the appellant/plaintiff had entered into an agreement of sale.

4. The docket endorsement order shows that by an order dated 10.02.2023 for non paying the batta for R1 the Court has ordered that in case of non-compliance of the requirements of Registry on or before 27.02.2023, the First Appeal shall stand dismissed automatically. By an endorsement it is found that till 27.02.2024, steps were not taken to bring the L.R's since the suit against the first respondent who is contesting stands dismissed and nothing survives in this matter.



A.S.No.21 of 2016

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5. Accordingly, the Appeal Suit is closed. Consequently, connected C.M.P is closed.

27.02.2024

nvi

Speaking (or) Non Speaking Order
Internet : Yes

To
The Additional District Judge at Chengalpet.

RMT.TEEKAA RAMAN,J.,



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A.S.No.21 of 2016

nvi

A.S.No.21 of 2016

27.02.2024