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A.S.No.197 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T.ASHA

A.S.No.197 of 2010

A.Vijayalakshmi

... Appellant

-Vs-

1. A.Nagalingam (deceased)
2. A.Vedagiri
3. A.Ganesan
4. A.Ethiraj @ Elumalai
5. Karpagam
6. Kasthuri
7. Badhachalam (Died)
8. N.Mariammal
9. N.Sundaramurthy
10. E.Padmini Devi
11. P.Krishnakumari
12. R.Santhosh Kumari
13. Madhu Bala
14. The Park Town Benefit Fund Limited, Chennai-600 017.
15. Vamana Auctioneers
16. A.Mohammed Yasin
17. R.Muthukumar
18. R.Manickam
19. Velmurugan

... Respondents

PRAYER: First Appeal filed under Order XLI Rule 1 and 2 read



A.S.No.197 of 2010

with Section 96 of the Code of Civil Procedure, 1908, to set aside the judgment and decree in O.S.No.3076 of 1999 dated 30.04.2009 on the file of the Additional City Civil Court (III Fast Track Court), Chennai.

For appellant : M/s.Anna Shobana Premila

For R1 and R7 : Died

For R2 to 6, 8, 10 to 18: No appearance

For R9 : Mr.G.Prabaharan

For R19 : Dismissed
(vide order dated 10.02.2023)

JUDGMENT

It is informed that the appellant has no longer any interest in the suit schedule property since she had alienated the property as early as on 12.07.2007 after the *ex parte* judgment. It is informed by the learned counsel for the appellant that despite several letters, there is no response on the side of the appellant. Apparently, since she no longer has an interest in the property, the appellant is not responding to her counsel's attempts to contact her.



A.S.No.197 of 2010

WEB COPY

2. In view of the submissions made by the learned counsel for the appellant, and taking note of the fact that despite dismissal of her suit for partition the appellant has sold her interest in the property she no longer has the locus to continue this appeal A.S.No.197 of 2010. The appeal is therefore, dismissed. No costs.

08.04.2024

Internet : Yes

Index : Yes/No

Speaking order/Non-speaking order
ssa

To

1.The Additional City Civil Court (III Fast Track Court), Chennai.

2.The Section Officer, V.R.Section, High Court, Madras.



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A.S.No.197 of 2010

P.T.ASHA, J.,

ssa

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