



S.A.No.1067 of 2008

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2024

CORAM

THE HONOURABLE Mr. JUSTICE G.ARUL MURUGAN

S.A.No.1067 of 2008
and
C.M.P.No.2311 of 2021

1.Perumayee
2.Lakshmi
3.Palanisamy
4.K.Uma Shankar
5.K.Shanmugam
6.Devaraj
7.Malar
8.Mythili
9.Minor.Soundariya
10.Minor.Harsha

... Appellants

vs.

1.R.Marimuthu
2.R.Kuppusamy
3.R.Vimala
4.R.Kamala

...Respondents

Prayer:- Second Appeal filed under Section 100 of the Civil Procedure Code against the judgment and decree dated 20.03.2007 in A.S.No.130 of 2006 passed by the learned Additional Subordinate Judge, Salem, confirming the judgment and decree dated 21.09.2005 in O.S.No.799 of 2005 passed by the learned Principal District Munsif, Salem.



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For appellants : Mr. P.Jagadeesan
For R1 & R2 : Died
For R3 & R4 : No appearance

J U D G M E N T

It is seen that the respondents 1 & 2 in this Second Appeal died and for taking steps to substitute the legal heirs, the matter was adjourned to 01.11.2023, 09.01.2024 and 02.02.2024. However, no steps were taken. Even when the matter was listed on 23.02.2024, for providing one more opportunity, the case was adjourned to 05.03.2024.

2. Even when the matter is listed today, no steps have been taken to substitute the legal heirs. Hence, there is no purpose in keeping this Second Appeal pending.

3. In the result, this Second Appeal is dismissed as abated. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

05.03.2024.

Internet : Yes
Index : Yes/No
Speaking order/Non-speaking order
apd



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G.ARUL MURUGAN,J

apd

To

1. The Additional Subordinate Judge, Salem.
2. The Principal District Munsif, Salem.
3. The Section Officer, V.R.Section, High Court, Madras.

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and

C.M.P.No.2311 of 2021

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