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S.A.No.1521 of 2008

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2024

CORAM

THE HON'BLE MR. JUSTICE C.KUMARAPPAN

S.A.No.1521 of 2008
and C.M.P.No.1 of 2008

Thimmakkal

... Appellant

Vs.

1. S.K.Sundaram (Died)

2. Kannammal

3. S.Jeyendran

... Respondents

[R2 & R3 are brought on records as Lrs of the deceased sole respondent viz., S.K.Sundaram vide Court order dated 24.06.2021 made in C.M.P.Nos.7879, 7882 and 7885 of 2021 in S.A.No.1521 of 2008 by PTAJ]

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure to set aside the judgment and decree dated 10.01.2006 made in A.S.No.40 of 2005 on the file of Principal Subordinate Judge, Gobichettipalayam confirming the judgment and decree dated 19.04.2005 made in O.S.No.273 of 1994 on the file of District Munsif, Sathyamangalam by allowing this second appeal.

For Appellants : Mr.G.Prabhakaran

For Respondents : R1- Died

Mr.M.Roshan Atiq [R2 & R3]



S.A.No.1521 of 2008

JUDGMENT

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Learned counsel for the appellant would submit that the sole appellant died about two years back, but still inspite of best efforts, he is not in a position to get the legal heirs detail.

2. This Court vide its order dated 05.04.2024 has accommodated the appellant to move an appropriate application, but even today no application has been filed. Hence, this Second Appeal is dismissed as abated. No costs. Connected miscellaneous petition is closed.

18.04.2024

Index: Yes/No

Neutral Citation: Yes/No

Speaking order/Non-speaking order

mp

To

1. The Principal Subordinate Judge,
Gobichettipalayam
2. The District Munsif's Court,
Sathyamangalam



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S.A.No.1521 of 2008

C.KUMARAPPAN.J.,

mp

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