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S.A.No.550 of 2003

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2024

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

S.A.No.550 of 2003

1.Arulsami Udayar
2.Maria Thereas
3.Kulandai Thereas
4.Prakasamary

... Appellants

VS.

1.Alexander
2.Ponnambala Padayachi
3.Kasinatha Padayachi
4.Reginamary
5.Karunanidhi

...Respondents

Prayer:- Second Appeal filed under Section 100 of the Civil Procedure Code against the judgment and decree dated 04.04.2002 in A.S.No.44 of 2001, passed by the learned Principal Sub Judge, Virudhachalam, confirming & reversing (*sic* confirming) the judgment and decree dated 13.06.2001 in O.S.No.1150 of 1988 passed by the learned Additional District Munsif, Virudhachalam.

For appellants : Mr.H.Shabeer Ali

For respondent - 5 : Mrs.R.Meenal



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J U D G M E N T

The learned counsel for the respondents would submit that in spite of so many adjournments granted by this Court, no steps have been taken to implead the legal heirs of the 2nd appellant.

2. It also appears that the respondents 1, 2 and 4 have also died and even against these respondents, no steps have been taken. This Court has granted so many adjournments to the appellants to move necessary application to implead the legal heirs. In spite of providing sufficient opportunities, the appellants have not taken any steps. Hence, there is no purpose in retaining this Second Appeal.

3. In the result, the Second Appeal is dismissed as abated and for default. There shall be no order as to costs.

01.04.2024

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

To



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

C.KUMARAPPAN,J.



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