



WEB COPY



S.A.No.987 of 2007

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2024

CORAM

THE HONOURABLE Mr. JUSTICE **G.ARUL MURUGAN**

S.A.No.987 of 2007

and

M.P.No.2 of 2007

M.Narayanasamy

... Appellant

vs.

M.Manicka Udayar (died)

1.Palaniammal

2.M.Radhakrishnan

3.Saradha Ammal

4.Azhagammal

5.Kolanjiammal

6.Thamarai Selvi (died)

7.Alameluammal @ Palaniammal

8.Lakshmi

9.Mahadevan

10.Narayanasamy

...Respondents

(R8 to R10 brought on record as LR's of the deceased 6th respondent vide order dated 12.02.2015 in M.P.Nos.1 to 3 of 2015)

Prayer:- Second Appeal filed under Section 100 of the Civil Procedure Code against the judgment and decree dated 28.03.2005 in A.S.61 of 2004 passed by the learned Subordinate Judge, Virudhachalam, confirming the judgment and decree dated 28.11.2003 in O.S.No.469 of



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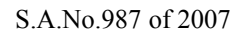
1992 passed by the learned Principal Additional District Munsif,
Virudhachalam.

For appellant : Mr.T.Sivagnanasambandam
For R1 to R5 : Mrs.R.Meenal
For R6 : Died
For R7 to R10 : No appearance

J U D G M E N T

When this Second Appeal was listed as early as 25.08.2021, it has been recorded that the sole appellant in this Second Appeal died on 24.03.2015 itself. Thereafter, the matter has been listed on 05.01.2024, 31.01.2024 and 16.02.2024. Again, when the matter was listed on 08.02.2024, it has been recorded that in spite of providing sufficient opportunities, no steps have been taken and to provide one last opportunity, the matter was adjourned to 16.02.2024.

2. Even today, when the matter is listed, no steps have been taken to substitute the legal heirs of the deceased sole appellant. It is evident that the appellant is not interested in prosecuting this Second Appeal. Hence, there is no purpose in keeping this Second Appeal pending.



11.03.2024.

Speaking order/Non-speaking order
apd

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



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G.ARUL MURUGAN,J

apd

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