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S.A.No.1518 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **13.09.2024**

CORAM

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

S.A. No.1518 of 2011
and M.P.No.1 of 2011

Isaac Immanuel

... Appellant

Vs.

1.Ebenezer
2.Robert William
3.Kirubai Varam
4.Ruth Sampornam
5.Miriam Elizabeth
6.Israel
7.Ephraim
8.A.Immanuel

.. Respondents

(Respondents 4 to 6 & 8 are given up)

PRAYER: Second Appeal filed under Section 100 of C.P.C., to set aside the common judgment and decree dated 08.02.2011 passed in A.S.No.65 of 2010 on the file of the II Additional Sub Court, Salem, reversing the judgment and decree dated 05.04.2010 passed in O.S.No.98 of 2008 on the file of the I Additional District Munsif Court, Salem.

For Appellant : Ms.R.Vaishali



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for Mr.R.Subramanian

For R1 to R3 & R7 : No appearance

J U D G M E N T

The learned counsel appearing for the appellant submits that the appellant is no more and she is unable to contact the appellant despite efforts taken by them and filed a memo to that effect, which reads as follows:-

“It is informed by the learned counsel for the respondent during the pendency of this second appeal that the contesting respondents have died. The appellant has also died. We do not have any instructions from our client as on date to bring the LR's on record to contest the case.

It is therefore prayed that this Hon'ble Court be pleased to dismiss the second appeal as abated and thus, render justice.”

2. Recording the above submission and the memo filed by the learned counsel for the appellant, the Second Appeal is dismissed as



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abated. However, there shall be no order as to costs. Consequently,
connected Miscellaneous Petition is closed.

13.09.2024

Index :Yes/No

gsa

To

- 1.The II Additional Subordinate Judge,
Salem.
- 2.The I Additional District Munsif,
Salem.



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N.SENTHILKUMAR, J.

Gsa

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