



*S.A.Nos.1636 & 1637 of 2011*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.07.2024

CORAM:

**THE HONOURABLE MR.JUSTICE V.SIVAGNANAM**

**S.A.Nos.1636 & 1637 of 2011**

**and**

**M.P.Nos.1 & 1 of 2011**

**S.A.No.1636 of 2011**

Govindan

S/o. Vadamalai Padayachi

... Appellant

Vs.

Govindan

S/o. Nallaperumal

... Respondent

**PRAYER:** Second Appeal filed under Section 100 of C.P.C. against the judgment and decree of the Additional District Sessions (Fast Track Court), Kallakurichi dated 28.09.2007 in A.S.No.158 of 2002, confirming the judgment and decree of the II Additional District Munsif Court at Kallakurichi dated 11.08.1998 in O.S.No.115 of 1992. =

**S.A.No.1637 of 2011**

1. Govindan

S/o. Vadamalai Padayachi



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2. Srinivasan

S/o. Vadamalai Padayachi

3. Venkatajalam

S/o. Vadamalai Padayachi

4. Minor Sangeetha,

rep. By her guardian & father

Govindan

... Appellants

Vs.

Govindan

S/o. Nallaperumal

... Respondent

**PRAYER:** Second Appeal filed under Section 100 of C.P.C. against the judgment and decree of the Additional District Sessions (Fast Track Court), Kallakurichi dated 28.09.2007 in A.S.No.10 of 2004, confirming the judgment and decree of the II Additional District Munsif Court at Kallakurichi dated 11.08.1998 in O.S.No.958 of 1993.

For Appellant : Mr. T.R.Gayathri  
in both Appeals for Sarvabhauman Associates

For Respondent : Mr.R. Meenal  
in both Appeals

### **COMMON JUDGMENT**

Both the Second Appeals have been filed against the judgment and decree passed in A.S.No.158 of 2002 and A.S.No.10 of 2004, dated



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28.09.2007 on the file of the Additional District Sessions (Fast Track) Court, Kallakurichi, confirming the judgment and decree passed in O.S. No.115 of 1992 & O.S.No.958 of 1993, dated 11.08.1998, on the file of the II Additional District Munsif Court, Kallakurichi.

2. When the matters are taken up for hearing, the learned counsel appearing for the respondent submitted that the sole respondent died on 26.01.2023.

3. So far no steps have been taken to bring the legal representatives of the sole respondent in both the Second Appeals. Hence, both the Second Appeals are dismissed as abated. No costs. Consequently, connected miscellaneous petitions, if any, are also closed.

**30.07.2024**

mrp  
Internet: Yes  
Index: Yes/No  
Speaking/Non speaking order  
NCC: Yes/No

To

1. The Additional District Sessions (Fast Track Court), Kallakurichi
2. The II Additional District Munsif Court, Kallakurichi



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**V.SIVAGNANAM, J.**

mrp

**S.A.Nos.1636 & 1637 of 2011**

**30.07.2024**