



S.A. No.491 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :18.03.2024

CORAM:

**THE HON'BLE MR. JUSTICE P.B. BALAJI**

S.A. No.491 of 2018  
and CMP No.13301 of 2018

1.A.K.Rajendran  
2.A.S.M.Kannan  
3.S.Nagaraj  
4.Logaraj  
5.Murugesan  
6.Jabarulla  
7.Sasikumar  
8.Devados  
9.Selvambal  
10.Selvaraj  
11.Subramanian  
12.Velusamy  
13.Elangovan  
14.Natarajan  
15.Selvaraj  
16.Chinnappa

.... Appellants

Versus

Dr.P.Elangovan

... Respondent



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**WEB COPY** Second Appeal filed under Section 100 of the Civil Procedure code, against the decree and judgment passed in A.S. No.55 of 2013 dated 31.07.2014 on the file of Principal District Judge, Ariyalur, reversing the judgment and decree dated 27.09.2013 in O.S.No.159 of 2003 on the file of Subordinate Judge, Ariyalur.

For Appellants : Ms.Usha Ramman

For Respondent : No appearance

### **JUDGMENT**

Learned counsel for the appellants submits that the sole respondent passed away and despite best efforts, the plaintiff is not able to trace the legal representatives of the deceased respondent and the learned counsel also submits that she is also unable to ascertain the date of death. However, the learned counsel for the appellants says that the death of the respondent was definitely prior to 90 days from today. In fact, the death of the respondent was already reported before this Court on the last hearing i.e., on 19.01.2024.



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2. In view of the above, the Second Appeal is dismissed as abated with liberty to the appellants to revive the Second Appeal, in the event of getting the details of the date of the death of the respondent and his legal representatives, by filing appropriate applications.

18.03.2024

Index: Yes/No  
Speaking Order/Non-Speaking Order  
sr

To

1. The Principal District Court, Ariyalur
2. The Subordinate Court, Ariyalur
3. The V.R.Section, High Court, Chennai.



WEB COPY



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**P.B.BALAJI,J.**

sr

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