



C.M.A.(MD).No.1333 of 2012

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

C.M.A.(MD)No.1333 of 2012

and

M.P(MD) No.1 of 2012

1.Kanagasabesan

Krishnan (Died)

Saravanaperumal (Died)

2.Pitchapalam

... Appellants/Respondents 1 to 4/
Defendants 1 to 4

-vs-

V.Chithiraikani Ammal (Died)

1.Vasanth

2.V.Thandavan

3.Ragavan

4.Indra

5.Jothi

6.Menaga

7.Sugantha

1/5



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8.Premadas

9.Ramdas

10.Mohandas

... Respondents/Petitioners/
Plaintiffs 1 to 8 & Defendants 5 to 7

PRAYER: Civil Miscellaneous Appeal filed under Order 43 Rule 1(U) of C.P.C, against the judgment and decree dated 14.10.2011 passed in A.S.No.46 of 2005 on the file of the Sub Court, Thoothukudi remanding the suit in O.S.No.22 of 2000 on the file of the District Munsif Court, Sathankulam and set aside the same.

For Appellants : Mr.G.Prabhu Rajadurai

For R2 & R3 : Mr.A.Mahendravarma

For R1, R5 & R7 to R10: No appearance

J U D G M E N T

When the matter is taken up for hearing today, the learned counsel appearing for the Appellants submitted that both the Appellants died and no instruction about the legal heirs.



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2. In view of the above, the Civil Miscellaneous Appeal is dismissed as abated. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

07.03.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
dss

To

1. The Sub Court,
Thoothukudi.
2. The District Munsif Court,
Sathankulam.
3. The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL,J.

dss

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