



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 27.06.2024**

**CORAM**

**THE HON'BLE MR JUSTICE A.A.NAKKIRAN**

**S.A.(MD)No.91 of 2011**

1.Tmt.Nallammal (Died)

2.V.Subramanian (Died)

( Memo dated 21.05.2024 filed on 03.06.2024 in USR.No.17743 is recorded to the effect that the Appellants 1 & 2 died via dated 10.06.2024 made in SA(MD)No.91 of 2011 by NMJ)

... Appellants /Appellants / Plaintiffs

-Vs-

1.V.Arumugam

2.M.Ramasamy

3.M.Arumugam

4.V.Palanichamy

5.V.Marappa Gounder

... Respondents / Respondents / Defendants

**Prayer:** Second Appeal is filed under Section 100 of the code of Civil Procedure Code, to set aside the judgment and decree dated 22.09.2010 in A.S.No.67 of 2009 on the file of the Principal Subordinate Judge, Dindigul, modifying the judgment and decree dated 17.10.2007 passed in O.S.No.78 of 1998 on the file of the District Munsif, Veda sandur and allow this second appeal.



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For Appellants : Mr.I.Irulappan  
For Respondents : No Appearance

### **JUDGMENT**

This appeal has been filed against the judgment and decree passed in A.S.No.67 of 2009 on the file of the Principal Subordinate Judge, Dindigul, modifying the judgment and decree dated 17.10.2007 passed in O.S.No.78 of 1998 on the file of the District Munsif, Veda sandur and allow this second appeal.

2.When the matter is taken up for hearing, the learned counsel for the appellants submitted that during the pendency of this appeal, the appellants died and as such, there is no purpose in proceeding with the appeal.

3.Recording the said submission, the Second Appeal is dismissed as abated. No costs. Consequently, the connected miscellaneous petition is closed.

**27.06.2024**

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



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To:

1. The Principal Subordinate Judge,  
Dindigul.
2. The District Munsif,  
Vedasandur.
3. The Record Keeper,  
Vernacular Section,  
Madurai Bench of Madras High Court,  
Madurai.



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**A.A.NAKKIRAN, J.**

dss

**S.A.(MD)No.91 of 2011**

**27.06.2024**