



S.A.(MD)No.397 of 2006

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2024

CORAM

THE HON'BLE MR.JUSTICE V.SIVAGNANAM

SA.(MD)No.397 of 2006
and
CMP(MD)No.14949 of 2024

- 1.Periyakaruppan (died)
- 2.Kalimuthu (died)
- 3.Veerabathiran (died)
- 4.Chinnaiah
- 5.Vellaiyan
- 6.Chandran
- 7.Manikandan
- 8.Ayyappan

(Appellants 5 to 8 are brought on records as LR's of the deceased first appellant vide Court order dated 12.09.2024 made in CMP(MD)Nos.12606 to 12608 of 2024)

- 9.K.Murugan
- 10.K.Arumugam
- 11.M.Manikandan



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12.M.Karthick Kumaran

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(Appellants 9 to 12 are brought on records as LR's of the deceased
second appellant vide Court order dated 12.09.2024 made in
CMP(MD)Nos.12613, 12614 & 12617 of 2024

13.Murugesan

14.Velu

15.Palanivel

16.Kannan

(Appellants 13 to 16 are brought on records as LR's of the deceased
third appellant vide Court order dated 12.09.2024 made in
CMP(MD)Nos.12610 to 12612 of 2024

... Appellants

Vs.

Palani

... Respondent

PRAYER : Second Appeal filed under Section 100 Cr.P.C., to set aside the judgment and decree passed by the I Additional Subordinate Judge, Madurai in A.S.No.220 of 2005, dated 19.01.2006 reversing the judgment and decree passed in O.S.No.507 of 2004 dated 19.09.2005, passed by the District Munsif Court, Thirumangalam.



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For Appellants : Mrs.J.Padmavathi Devi

For Respondent : Mr.PT.S.Narendravasan

JUDGMENT

When the matter came up for hearing, the learned counsel for the respondent submitted that the sole respondent died on 22.01.2018. This matter has already been reported to the Court and to that effect a memo has also been filed. But the learned counsel for the appellants has not taken any steps to implead the legal heirs of the sole respondent within the period of limitation.

2. In view of the above, this second appeal is dismissed as abated. No costs. Consequently, connected miscellaneous petition is closed.

21.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
RM



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S.A.(MD)No.397 of 2006

To

- 1.The I Additional Subordinate Judge,
Madurai
- 2.The District Munsif Court,
Thirumangalam.
- 3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM,J.

RM

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21.11.2024