



S.A.(MD)No.29 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

S.A.(MD)No.29 of 2019

R.Chellaiah (died)

1.Ranjitham

2.Arjunan

3.Vijayalakshmi

4.Ghanam

5.Sounthari

6.Nathiya @ Baby

7.Nithya

... Appellants

Vs.

R.Ganesan (died)

R.Sabapathi (died)

1.S.Annadurai

2.Anbalagan

... Respondents



S.A.(MD)No.29 of 2019

PRAYER: Second Appeal filed under Section 100 of Civil Procedure Code, to set aside the judgment and decree passed by the Sub Court, Aranthangi in A.S.No.13 of 2017 dated 03.07.2018 reversing the judgment and decree passed by the District Munsif Court, Aranthangi in O.S.No.149 of 2005 on 10.02.2010 and allow this second appeal.

For Appellants : Mr.R.Paran Jothi

For R1 : No appearance

For R2 : Mr.K.Vamanan

JUDGMENT

The Second Appeal is directed against the judgment and decree passed in A.S.No.13 of 2017 dated 03.07.2018 on the file of the Subordinate Court, Aranthangi, reversing the judgment and decree made in O.S.No.149 of 2005 dated 10.02.2010 on the file of the District Munsif Court, Aranthangi.

2. It is evident from the records that death of the second appellant as well as the first respondent was reported as earlier as on 07.04.2022. When the matter was taken up for hearing on 04.11.2024, at request of the learned counsel appearing for the appellants, the matter was posted



S.A.(MD)No.29 of 2019

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on 18.11.2024 (today) for taking steps finally, but even today, they have not chosen to take steps for the deceased second appellant and first respondent. Since death of the second appellant and first respondent was reported in 2022, the Second Appeal is dismissed as abated. No costs.

18.11.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
csm

To

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



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S.A.(MD)No.29 of 2019

K.MURALI SHANKAR, J

csm

Judgment made in
S.A.(MD)No.29 of 2019

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