



SA.No.1893 of 2001

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

SA.No.1893 of 2001

Pitchaimuthu

: Appellant

-VS-

1.Kaja Mohideen
2.Madasami (died)
amended vide separate sheet
3.Mariappan
4.Natarajan Chettiar
5.Subbiah
6.Seenivasa Chettiar
7.Chellappa
8.Natarajan Kothanar
9.Thirumalai Vadivu
10.Chinthamani Alias Vijai
11.Marimuthu
12.Sethilmurugan
(respondents 9 to 12 are brought on record
as LR's of the deceased 2nd respondent vide
Court, order dated 21.08.2023 made in
MP(MD).Nos.1 to 3 of 2010)

: Respondents

PRAYER: The Second Appeal is filed under Section 100 C.P.C against the Judgment and Decree made in A.S.No.5 of 2001, dated 11.09.2001 passed by the Principal Subordinate Judge, Tenkasi confirming the Judgment and Decree passed in O.S.No.262 of 1994, dated 27.11.2000



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passed by the learned District Munsif, Tenkasi.

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For Appellant : Mr. M.P. Senthil
For respondent : No appearance

JUDGMENT

It is represented by the learned counsel for the appellant that the sole appellant died and in spite of his best efforts he could not contact the LRs of the deceased sole appellant and hence, he is not able to take appropriate steps.

2. In view of death of the sole appellant the appeal has already abated and accordingly, the Second Appeal is dismissed as abated. However, it is left open to the LRs if any of the appellant to file appropriate application seeking restoration of the Second Appeal if they are so advised. No costs.

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Internet : Yes / No
Index : Yes / No
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1. The Principal Subordinate Judge, Tenkasi
2. The learned District Munsif, Tenkasi.



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MUMMINENI SUDHEER KUMAR. J.

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