



*S.A.No.1094 of 2003*

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.11.2024**

CORAM

**THE HONOURABLE MR.JUSTICE V.SIVAGNANAM**

**S.A.No.1094 of 2003**

Gundumani Ammal

... Defendant/Appellant  
Appellant

Vs.

1.Nallathambi

... Plaintiff/Respondent  
Respondent

2.Kailasa Gounder

... 2nd Defendant/2nd Appellant  
Respondent

**PRAYER** : Second Appeal filed under Section 100 of the Civil Procedure Code, to set aside the judgment and decree of the learned Additional District Judge cum Chief Judicial Magistrate, Pudukkottai, dated 22.07.1999 in A.S.No.23 of 1998 and the District Munsif cum Judicial Magistrate, Keeranur, dated 20.01.1997 in O.S.No.91 of 1995.

For Appellant : No appearance

For R-1 : Mr.R.Suresh Kumar

For R-2 : M/s.R.Jayalakshmi



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**JUDGMENT**

On perusal of records, it is seen that the sole appellant died. Notice sent to the appellant was returned with an endorsement 'Died' on 24.05.2024. Steps were not taken to implead the legal heirs of the sole appellant within the period of limitation. There is no representation on the side of the appellant. Hence, this Second Appeal stands dismissed as abated. There shall be no order as to costs.

**06.11.2024**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes  
BTR

To

- 1.The Additional District Judge cum Chief Judicial Magistrate,  
Pudukkottai.
- 2.The District Munsif cum Judicial Magistrate,  
Keeranur.
- 3.The Section Officer,  
Vernacular Record Section,  
Madurai Bench of Madras High Court,  
Madurai.



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**V.SIVAGNANAM, J.**

BTR

**Judgment made in**  
**S.A.No.1094 of 2003**

**Dated:**  
**06.11.2024**