



S.A.No.555 of 2004

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

**DATED: 04.04.2024**

**CORAM**

**THE HONOURABLE MR. JUSTICE S.SOUNTHAR**

**S.A.No.555 of 2004**

George

... Appellant

Vs

1.Chellappan  
2.Thankappan  
3.Chellappan  
4.Rajappan  
5.Mani (Died)

(R5 died and there is no need to take steps to bring the LR's on record,  
vide order dated 07.02.2024 in S.A.No.555 of 2004)

6.Rethinam  
7.Thangam  
8.Chellathangam

... Respondents

**PRAYER:** Second Appeal filed under Section 100 of C.P.C. against the judgment and decree in A.S.No.178 of 1977 dated 23.02.2001 on the file of the Subordinate Judge, Padmanabhapuram confirming the judgment and decree made in O.S.No.126 of 1977 dated 23.09.1977 on the file of the Additional District Munsif, Padmanabhapuram.

For Appellant : Mr.R.Devaraj

For Respondents : Mr.V.M.Balamohanthampi  
for R2 to R4



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No Appearance for R1, R6 to R8

**JUDGMENT**

The learned counsel appearing for the appellant filed a memo dated 03.04.2024, stating that the sole appellant died on 11.09.2011. The said memo is recorded.

2. In view of the fact that the legal heirs are not brought on record even after expiry of 13 years, the Second Appeal is dismissed as abated. There shall be no order as to costs.

**04.04.2024**

NCC : Yes / No  
Index : Yes / No  
vsm



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To

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



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**S.SOUNTHAR, J.**

vsm

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**04.04.2024**