



S.A.(MD)No.599 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.06.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

S.A.(MD)No.599 of 2019

Muppudathi (died)
By LRs

1. S.Singammal
2. M.Balamurugan
3. M.Guruvammal

... Appellants

Vs.

1. Muthulakshmi
2. Mariammal
3. Karuppasamy
4. R.Pechiammal

... Respondents

PRAYER: Second Appeal filed under Section 100 of Civil Procedure Code, to set aside the judgment and decree dated 26.02.2010 passed by the learned Subordinate Judge, Srivilliputhur in A.S.No.44 of 2008 in confirming the judgment and decree of Additional District Munsif Court, Srivilliputhur in O.S.No.945 of 2004 dated 22.02.2008.



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For Appellants : Mr.A.R.Kannappan

For R1 & R2 : Mr.S.Alagusundar

JUDGMENT

The Second Appeal is directed against the judgment and decree passed in A.S.No.44 of 2008 dated 26.02.2010 on the file of the Subordinate Court, Srivilliputhur, confirming the judgment and decree made in O.S.No.945 of 2004 dated 22.02.2008 on the file of the Additional District Munsif Court, Srivilliputhur.

2. When the matter is taken up for hearing today, the learned counsel appearing for the appellants filed a Memo dated 20.06.2024 stating that he sent a letter to the second appellant to furnish the particulars of the deceased respondents 3 and 4, but the second appellant has neither contacted nor furnished the particulars and that they are not having any instructions from the second appellant. The above said Memo is recorded.

3. It is seen from the records that though the death of the respondents 3 and 4 was reported as earlier as on 19.03.2024, steps not



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taken till now. Hence, the Second Appeal is dismissed as abated. No costs.

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

To

1. The Subordinate Court, Srivilliputhur.
2. The Additional District Munsif Court, Srivilliputhur.



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K.MURALI SHANKAR, J

csm

**Judgment made in
S.A.(MD)No.599 of 2019**

Dated : 24.06.2024