



S.A(MD)No.29 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATE : 10.12.2024

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

S.A(MD)No.29 of 2020
in
C.M.P.(MD)No.609 of 2020

1.Vairavel

2.Nirmala : Appellants/Appellants/Plaintiffs

Vs.

1.Kaliyappal (died)

2.Panchavarnathammal

3.Ramesh

4.Muthulakshmi

5.Uma Maheswari

6.K.Suresh Kumar (died)

7.Jeevareka

8.Usha

9.Rajesh Kumar

(R6 died and R6 to R9 are brought on records as Lrs of the deceased first respondent vide Court, dated 25.11.2019 made in CMP(MD)No.1016 to 1016 of 2018 in S.A(MD)SR. No.1964 of 2015



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10.Umamaheswari

11.Kalaiselvi

12.Deepak

: Respondents

(Respondents 10 to 12 are brought on record as Lrs of the deceased second respondent vide Court, order, dated 29.01.2024 made in CMP(MD)No.774, 776 and 777 of 2020 in SA(MD)No.29 of 2020)

(Name of the 12th respondent amended vide memo dated 07.07.2022 as per the order of this Court, dated 24.07.2024 made in SA(MD)No.29 of 2020)

Prayer : Second Appeal filed under Section 100 of C.P.C., against the judgment and decree dated 23.04.2014 made in A.S.No.24 of 2013 on the file of the Sub Court, Devakottai, confirming the decree and judgment passed in O.S.No.81 of 2007, dated 27.09.2012 on the file of the Additional District Court, Karaikudi.

For Appellants : No Appearance

For Respondents : Mr.R.Sundar Srinivasan, for R3, R5, R7 to R9,
R11, R12.

: No Appearance, for R4 and R10.

(R1, R2 and R6 died memo filed)

JUDGMENT

The Second appeal is directed against the judgment and decree, dated 23.04.2014 made in A.S.No.24 of 2013 on the file of the Sub Court,



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Devakottai, confirming the decree and judgment passed in O.S.No.81 of 2007,
dated 27.09.2012 on the file of the Additional District Court, Karaikudi.

2. This matter is listed today under the caption 'for dismissal'.

3. It is seen from the records that there is no representation for the past two hearings and hence, this Court directed the Registry to post the matter on 10.12.2024 under the caption ' for dismissal'. Even today (i.e.,10.12.2024) there is no representation for the appellants. Hence, the Second Appeal is dismissed for default. Consequently, connected Miscellaneous Petition is closed. No costs.

10.12.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
das

To

- 1.The Sub Court, Devakottai,
- 2.The Additional District Court, Karaikudi.
- 3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

DAS

Order made in
S.A(MD)No.29 of 2020
in
C.M.P.(MD)No.609 of 2020

Dated : 10.12.2024