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A.S.No. 569 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.10.2025

CORAM :

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

A.S.No. 569 of 2013
and
M.P.No. 1 of 2013

1.Mangammal
2.C.Periyasamy
3.Venkatammal

.. Appellants

VS

1.C.Murugan
2.C.Venkatesan
3.C.Chinnathambi

.. Respondents

Prayer : Appeal filed under Section 96 CPC against the judgment and decree dated 17.07.2013 made in O.S.No. 49 of 2011 on the file of learned Additional District Judge, Krishnagiri.

For Appellants : Mr.Nicholas

For Respondents : Mr.P.M.Duraisamy for R2
R1 - Refused
R3 - No appearance

JUDGMENT

When the appeal suit was taken up for hearing on 26.09.2025, this Court passed the following order:-



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A.S.No. 569 of 2013

S. SOUNTHAR , J.

It is seen from the records the death of the appellants 1 and 2 had been reported this Court earlier.

2.The learned counsel appearing for the appellants would submit that inspite of letter sent by him to the 3rd appellant, he had not received any instructions from the 3rd appellant.

3.Recording the said statement, the Registry is directed to list the appeal by printing the name of the appellants in the cause-list on 06.10.2025 under the caption 'for dismissal'.

2. Today, the learned counsel appearing for the appellant would submit that till now he has not received any instructions from the third appellant. As per the earlier order passed by this Court, the names of the appellants are printed in the cause list.

3. Recording the submission made by the learned counsel appearing for the appellant that he reports no instructions from the surviving appellant viz., the third appellant / Venkatammal, this appeal suit is dismissed for default. No costs. Connected miscellaneous petition is closed.

06.10.2025

Index:Yes/No

Neutral Citation:Yes/No

ssm

To

The Additional District Judge, Krishnagiri.

A.S.No.569 of 2013