



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2025

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

SA No. 1107 of 2008

& MP No.1 of 2008

1. Selvaraj
S/o. Lingappa Mudali,
Door No 4/9, Appasamy Naidu Street
Kaveripattinam Post, Krishnagiri Tk.

2. Anandhi,
W/o. Rajendiran, Door No.4/8
Appasamy Naidu Street,
Kaveripattinam Post,
Krishnagiri Tk.

Appellant(s)

Vs

1. G. Sivan,
S/o. C. Govinda Mudali,
4/15-A, Appasamy Naidu Street
Kaveripattinam Post, Krishnagiri Tk.

Respondent(s)

PRAYER

This Second Appeal has been filed as against the judgment and decree dated



25.04.2008 in A.S.No.8 of 2005 on the file of Principal Sub Court, Krishnagiri in confirming the judgment and decree dated 10.12.2004 in O.S.No.180 of 1995 on the file of the District Munsif Court, Krishnagiri.

For Appellant(s): M/s. V.Srimathi

For Respondent(s): M/s V.Nicholas

ORDER

The present second appeal has been filed by the defendants 1 & 2 in the suit. The said suit in O.S.No.180 of 1995 was filed on the file of the Court of learned District Munsif, Krishnagiri for the mandatory injunction, was decreed vide order dated 10.12.2004 and aggrieved by the same, the defendants 1 & 2, who are the appellants herein filed A.S.No.8 of 2005 on the file of the Court of learned Principal Subordinate Judge, Krishnagiri. The said appeal suit was dismissed by the learned Subordinate Judge by judgment and decree dated 25.04.2008. It is aggrieved by the said judgement and decree dated 25.04.2008, the present second appeal has been filed by the defendants 1 and 2.

2. On 01.10.2024, it was brought to the notice of this Court by the learned counsel for the sole respondent that the sole respondent is no more. Hence, the



matter was adjourned for taking appropriate steps. It was on 12.03.2025, the learned counsel for the appellant also reported that the sole respondent is no more and sought time for taking steps. In spite of the same, no steps having been taken. Consequently, the second appeal stands abated consequent upon the death of the sole respondent/plaintiff.

3. In these circumstances, for want of taking steps to bring on record the legal heirs of the sole respondent, the second appeal is dismissed as abated. No costs. Consequently, connected miscellaneous petition is closed.

27-10-2025

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Index: Yes/No

Neutral Citation: Yes/No



SA No. 1107 of 2008



To

- 1.Principal Sub Court, Krishnagiri
- 2.District Munsif Court, Krishnagiri.



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MUMMINENI SUDHEER KUMAR, J.
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