



S.A.No.410 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 07.04.2025

CORAM :

THE HON'BLE MR. JUSTICE SATHI KUMAR SUKUMARA KURUP

S.A. No.410 of 2010

and

M.P.No.1 of 2010

1. B.Lalitha
2. B.Vijayasri
3. V.B.Ramakrishnan
4. V.B.Leela
5. V.B.Ananda Kumar ... Appellants

Vs.

A.Sreedevamma ...Respondent

PRAYER: Second Appeal filed under Section 100 of Code of Civil Procedure to set aside the Judgment and Decree of the learned Principal Judge, City Civil Court at Chennai in A.S.No.423 of 2008 dated 16.11.2009 confirming the Judgment and Decree of the learned XVI Assistant Judge, City Civil Court, Chennai in O.S.No.8866 of 2006 dated 18.09.2007.

For Appellants : Mr.B.Divakaran



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For Respondent : No Appearance

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JUDGMENT

This Second Appeal has been filed to set aside the Judgment and Decree of the learned Principal Judge, City Civil Court at Chennai in A.S.No.423 of 2008 dated 16.11.2009 confirming the Judgment and Decree of the learned XVI Assistant Judge, City Civil Court, Chennai in O.S.No.8866 of 2006 dated 18.09.2007.

2. The learned Counsel for the Appellants submitted that the first Appellant as well as the sole Respondent died. The Appellants 2 to 5 are the legal heirs of the first Appellant. Since the whereabouts of the sole Respondent are not known to the Appellants, he is unable to implead the Legal Heirs of the sole Respondent.

In the result, this *Second Appeal is dismissed as abated.* Consequently, connected Miscellaneous Petition is closed. No costs.

07.04.2025

Index: Yes/No

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Internet: Yes/No

Speaking order/Non-speaking order

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To

1. The Principal Judge,
City Civil Court,
Chennai.
2. The XVI Assistant Judge,
City Civil Court,
Chennai.



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SATHI KUMAR SUKUMARA KURUP.J.,

dh

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