



S.A. No. 468 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

S.A. No. 468 of 2011

Mariappan

...Appellant

Vs.

1.Prabha
2.Suseela
3.Dhavamani
4.Palani
5.Mari

... Respondents

PRAYER: Second Appeal is filed under section 100 of the Code of Civil Procedure, 1908, to set aside the judgment and decree dated 23.12.2010 made in A.S. No. 12 of 2010 on the file of the Principal Subordinate Judge, Thiruvannamalai, reversing the judgment and decree dated 17.12.2009 made in O.S. No. 257 of 2007 on the file of the Principal District Munsif, Thiruvannamalai.

For Appellant : Mr.G.Rajan

For Respondent : R1-Died
R2 to R5 - Exparte

JUDGMENT

The second to fifth respondents remain exparte. Steps not taken. They are the co-defendant in the suit. The appellant is the first defendant. The first



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respondent is the wife of the first defendant, who has filed the suit for partition and maintenance. The trial Court decreed the suit and the first appellate Court has modified the judgment and decree of the trial Court and thereby, the appellants share is fixed at 7/36th.

2. As there is no steps taken against the deceased first respondent and second to fifth respondents remained exparte, this second appeal is dismissed as abated. No costs.

20.01.2025

Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No

Maya

To

- 1.The Principal Subordinate Judge,
Thiruvannamalai.
- 2.The Principal District Munsif,
Thiruvannamalai.
3. The Section Officer,
V.R. Section,
High Court, Madras.



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R.N.MANJULA, J.

Maya

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