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O.S.A.Nos.30 & 34 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2025

CORAM :

**THE HONOURABLE DR.JUSTICE ANITA SUMANTH
and
THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR**

**O.S.A.Nos.30 & 34 of 2018
and
CMP.Nos.1573, 1579, 1587, 1577, 1586 & 1588 of 2025**

J.Santhammal

.. Appellant in both OSAs

VS

1.Rajendrakumar
2.Vijayakumar
3.Kalarani
4.J.Ramu
5.Ramanamma
6.Kamala

.. Respondents in OSA No.30 of 2018

1.Rajendrakumar
2.Vijayakumar
3.Kalarani
4.J.Ramu
5.Kamala
6.Ramanamma

.. Respondents in OSA No.34 of 2018

Prayer in O.S.A.No.30 of 2018: Appeal filed under Order XXXVI Rule 1 of O.S. Rules read with Clause 15 of Letters Patent against the Judgment and Decree dated 03.08.2016 made in T.O.S.No.18 of 1988 passed by this Court.



O.S.A.Nos.30 & 34 of 2018

Prayer in O.S.A.No.34 of 2018: Appeal filed under Order XXXVI Rule 1 of O.S. Rules read with Clause 15 of Letters Patent against the Judgment and Decree dated 03.08.2016 made in T.O.S.No.1 of 1998 passed by this Court.

For Appellant : Sole Appellant died
(in both OSAs)

For Respondents : No appearance for R1 to R3 & 6
Not ready in notice – R4
Mr.Sivamani
for Mr.K.V.Sundarajan for R5
(In OSA No.30 of 2018)

: Ms.Rukmani
for Mr.P.B.Ramanujam for R1
Mr.Sivamani
for Mr.K.V.Sundarajan for R6
(In OSA No.34 of 2018)

COMMON ORDER

(Order of the Court was made by Dr. ANITA SUMANTH..J)

As early as on 20.06.2024, a Division Bench of this court had directed issuance of notice to the appellant saying as the counsel on record for the appellant has reported no instructions. To be noted that today there is no appearance for the learned counsel on record for the appellant before us.



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2. Be that as it may, Mr.Sivamani representing Mr.K.V.Sundarajan

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for R5/R6 in OSA Nos.30 & 34 of 2018 respectively and Ms.Rukmani representing Mr.P.B Ramanujam for R1 in OSA No.34 of 2018 state that the appellant is no more. A memo has also been filed by the learned counsel for the appellant on 26.04.2024 reporting no instructions from the appellant.

3.In the light of the above, we do not see any reason to keep the appeals pending. As the appellant is no more, the appeals have abated. Accordingly, these original side appeals are dismissed as abated and connected applications are closed. No costs.

[A.S.M., J] [N.S., J]
05.06.2025

Index:Yes/No
Speaking order
Neutral Citation:Yes
Asr/sli



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O.S.A.Nos.30 & 34 of 2018

DR. ANITA SUMANTH.,J.
and
N.SENTHILKUMAR.,J.

Asr/sli

O.S.A.Nos.30 & 34 of 2018
and
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05.06.2025