



S.A. No.1261 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 15.10.2025

CORAM:

THE HONOURABLE DR. JUSTICE A.D. MARIA CLETE

S.A. No. 1261 of 2014

and

M.P. No. 1 of 2014

1.Thangammal
Wife of Late Kandasamy,
No.72, Kandasamy Street,
Pannadi Street, Vairapalayam,
Erode.

2.Chandral,
Daughter of Kandasamy,
No.72, Kandasamy Street,
Pannadi Street, Vairapalayam,
Erode.

3.Maheswari,
Daughter of Kandasamy,
No.72, Kandasamy Street,
Pannadi Street, Vairapalayam,
Erode.

...Appellants

Vs.

1.Pavayee @ Pavayeeammal
Wife of Ramasamy,
No.73, Kandasamy Street,
Pannadi Street, Vairapalayam,
Erode.

2.Palanisamy,
Son of Ramasamy,



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No.73, Kandasamy Street,
Pannadi Street, Vairapalayam,
Erode.

...Respondents

PRAYER in S.A.:

Second Appeal filed under Section 100 of the Code of Civil Procedure to set aside the Judgment and decree passed in A.S.No.7 of 2014 dated 21.03.2014 on the file of Principal Sub Court, Erode confirming the Judgment and Decree passed in O.S.No.744 of 2009 dated 03.06.2012 on the file of I Additional District Munsif Court, Erode and consequently, allow the Second Appeal and pass such further or other orders as this Court may deem fit and proper in the circumstances of the case and thus render justice.

PRAYER IN M.P.:

To stay all further proceedings pursuant to the Judgment and decree passed in O.S.No.203 of 2003 on the file of the I Additional District Munsif Court, Erode confirmed in A.S.No.7 of 2014 on the file of Principal Sub Court, Erode and pass such further or other as this Court may deem fit and proper in the circumstances of the case and thus render justice.

APPEARANCE OF PARTIES:

For Appellants : No appearance.

For Respondents : R1 – died.
Ms.Zeeneth Begum for R2.

J U D G M E N T



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When this matter was listed on 18.09.2025, it is seen that R1 died and no steps have been taken to implead the legal heirs of the deceased R1 from the year 2017 and thus, Registry is directed to list the case under the caption 'Default cases', if no steps have been taken, Accordingly, since no steps have been taken till date, the matter has been listed today under the caption 'Default cases'. Even today, there is no representation for the appellant and the first respondent and no steps have been taken to bring on record the legal representatives of the deceased R1. Learned counsel for the second respondent is present.

2.Hence, this appeal is dismissed for non-prosecution. No costs. Consequently, the connected miscellaneous petition is closed.

15.10.2025

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Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation : Yes / No

To

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1.The Principal Sub court,
Erode.

2.The I Additional District Munsif Court,
Erode.

DR. A.D. MARIA CLETE, J

ay

3.The Section Officer,
V.R.Section, High Court of Madras,
Chennai.

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