



S.A.No.871 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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**DATED: 11.07.2025**

CORAM:

**THE HONOURABLE MR.JUSTICE K.KUMARESH BABU**

S.A.No.871 of 2017

Kanniyappan

...Appellant

Vs.

Krishnasamy (died)

1.Vasanthi

2.Viswanathan

3.Selvam

4.Shamalnathan

5.Ponnusamy

Kanthammal (died)

6.Thulasi

7.Rangan

8.Nithiya

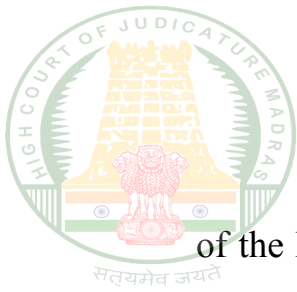
9.Vaniyammal

10.Kannammal

11.Govindammal

...Respondents

Second Appeal filed under Section 100 of Civil Procedure Code, to set aside the Judgment and Decree passed in A.S.No.64 of 2011 on the file of the Subordinate Court, Gudiyatham, Vellore District, dated 05.11.2015, reversing, the Judgment and Decree passed in O.S.No.135 of 2004 on the file



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of the District Munsif Court, Gudiyatham, Vellore District, dated 10.08.2011

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and remanding the suit for retrial after analyzing the appeal on merits and giving findings totally concurring with trial court judgment.

For Appellant : No appearance

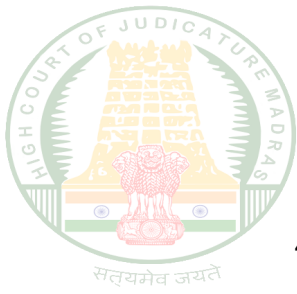
For Respondents : No appearance

### **JUDGMENT**

The matter was listed for hearing on 03.07.2025 and there was no representation on behalf of the appellant. Once again, the case is listed for hearing today, none represented on behalf of the appellant.

2. This Court, vide its order dated 29.11.2024, had recorded that the sole appellant is no more and had granted time for impleading the legal heirs of the deceased sole appellant.

3. Even till date, no steps have been taken to bring on record the Legal Heirs of the deceased sole appellant and the learned counsel, who had entered appearance on behalf of the sole appellant is also not before this Court.



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4. Accordingly, the Second Appeal stands dismissed as abated. No

costs.

11.07.2025

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Index : Yes/No

Speaking Order/Non-Speaking order

To

- 1.The District Munsif Court,  
Gudiyatham, Vellore District,
- 2.The Subordinate Court, Gudiyatham,  
Vellore District.
- 3.The Section Officer,  
V.R.Section,  
High Court, Madras.

**K.KUMARESH BABU, J.**

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