



S.A.(MD).No.104 of 2012

WEB COPY

THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.01.2025**

CORAM:

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

S.A.(MD)No. 104 of 2012

A.Murugesan

... Appellant

/Vs./

1. S. Appavoo (Died)
2. A.Palanichamy
3. A.Subramanian
4. A.Veluchamy
5. A.Chinnachamy
6. A.Krishnan
7. A.Prabhakaran
8. Malathi

...Respondents

[R-6 to R-8 are brought on record as LR's of deceased R-1 vide Order of this Court, dated 11.06.2019]

PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code, to set aside the Judgment and Decree, dated 11.11.2010 in A.S.No. 7 of 2009 on the file of the Learned Additional Subordinate Judge, Fast Track Court, Dindigul, confirming the Judgment and Decree, dated



S.A.(MD).No.104 of 2012

09.01.2009 passed in O.S.No.97 of 2004 on the file of the Principal Sub Court, Dindigul and allow this Second Appeal.

For Appellant : M/s.Antony Arulraj

For Respondents : R-1 Died

Mr.G.Marimuthu, for R-3

R-2, 4 & 5 – No appearance

Mr.P.Vairava Sundaram, for R-6 to R-8

JUDGMENT

The Learned Counsel appearing for the Appellant submitted that the sole appellant died. The Learned Counsel appearing for the respondents 4 to 8 has filed a memo stating that the appellant died four months before and his wife also pre-deceased and has four children, in which one daughter and one son were pre-deceased. As of now one son, namely; Bharathi and one daughter namely; Solamani are available. The son is residing in the same address where his father resided and the daughter is residing in the adjacent town, namely; Ayyalur. However, the Learned Counsel appearing for the appellant submitted that he is not able to contact the Legal heirs of the appellant.



S.A.(MD).No.104 of 2012

WEB COPY

2. Recording the aforesaid memo, this Second Appeal is dismissed as abated. No costs.

28.01.2025

Index : Yes / No
NCC : Yes / No

KSA

TO:

1. The Additional Subordinate Judge, Fast Track Court, Dindigul.
2. The Principal Sub Court, Dindigul.
3. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



S.A.(MD).No.104 of 2012

S.SRIMATHY, J.

KSA

Judgment made in
S.A.(MD)No.104 of 2012

28.01.2025