



S.A.(MD)No.948 of 2005

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.01.2025

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

S.A.(MD)No.948 of 2005

and

C.M.P(MD)No.6096 of 2005

Shanmuganathan (died)

1.Dhamayandhi

2.Ganapathy

3.Subramaniam

4.Nallammal

5.Mani

6.Kannan

...LR's of 2nd Defendant/Appellant 2 to 7/Appellants

-Vs-

Alagar (Died)

Vellaichamy

...Plaintiff/2nd Respondent/Respondent

Prayer : Second Appeal filed under Section 100 of the Civil Procedure Code, against the Judgment and Decree, dated 25.04.2005 made in A.S.No.35 of 2001 on the file of the Sub Court, Aruppukottai, confirming the Judgment and Decree, dated 01.10.1985 made in O.S.No.128 of 1983 on the file of the District Munsif Court, Aruppukottai.

For Appellants : Mr.K.M.Vijaiya Kumar

For Respondent : Mr.S.Parthasarathy

* * * * *



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JUDGMENT

This Second Appeal has been filed against the Judgment and Decree, dated 25.04.2005 made in A.S.No.35 of 2001 on the file of the Sub Court, Aruppukottai, confirming the Judgment and Decree, dated 01.10.1985 made in O.S.No.128 of 1983 on the file of the District Munsif Court, Aruppukottai.

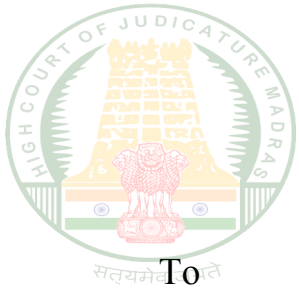
2.When the matter is taken up for hearing, the learned Counsel appearing for the appellants submits that the second appellant died and no steps have been taken within the period of limitation as stipulated.

3.The learned Counsel appearing for the respondent submits that the sole respondent died and no steps have been taken within the period of limitation as stipulated.

4.In view of the above, this Second Appeal is dismissed as abated.
No costs. Consequently, connected miscellaneous petition is also closed.

28.01.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



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- 1.The Sub Court, Aruppukottai.
- 2.The District Munsif Court, Aruppukottai.
- 3.The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court, Madurai.



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V.SIVAGNANAM. J,

RJR

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