



WEB COPY



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A.S.(MD)NO.159 OF 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.02.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

A.S.(MD)No.159 of 2015

H.Ram Kishore

... Appellant / Defendant

Vs.

1. M.Pathravathi Ammal
2. M.Ayyamperumal (Died)
(R2 died vide order dated 19.09.2024)
3. P.R.Ravichandran

... Respondents

Prayer: Appeal suit filed under Section 96 CPC r/w. Order 41 Rule 1 and 2, to allow this appeal by setting aside the judgment and decree in O.S.No.466 of 2004 dated 17.03.2015 on the file of the Principal District Judge, Madurai with costs.

For Appellant : Mr.S.Saji Bino

For R-1 & R-3 : Mr.V.Meenakshi Sundaram,
for Mr.D.Nallathambi.

* * *

**J U D G M E N T**

(Order of the Court was delivered by G.R.SWAMINATHAN, J.)

The respondents herein filed O.S.No.466 of 2004 on the file of the Principal District Court, Madurai under Section 92 CPC for terminating the appellant herein from his post as Lifetime Trustee of the suit trust. The suit was decreed on 17.03.2015. Questioning the same, this appeal came to be filed.

2. When the matter was taken up for hearing, the plaintiffs submitted that the appellant is no more. We are therefore of the view that nothing survives for further adjudication. This appeal suit is dismissed as infructuous. No costs.

(G.R.SWAMINATHAN, J.) & (M.JOTHIRAMAN, J.)
14th February 2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

To:

The Principal District Judge,
Madurai.



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