

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

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Tuesday, the Fifteenth day of July, Two Thousand and Twenty Five

PRESENT

THE HONOURABLE MR. JUSTICE R.VIJAYAKUMAR

SA. No.1258 of 2003

SREEKRISHNAN

... Appellant/Respondent/Plaintiff

Vs

1 LEKSMI

...1st Respondent/ Appellant/Plaintiff

2 NEELAKANTA PRASAD

3 MADHAVADHAS

4 AMBIKA

...Respondents 2 to 4/ Respondents 1 to 3/
Defendants 1 to 3

Prayer :-

This Second Appeal is filed under section 100 of C.P.C., to prefer this memorandum of second appeal to this court against the judgement and decree of the subordinate Court, Padmanabhapuram, made in A.S.No.32 of 1999 dated 13/11/2002 reversing the judgement and decree dated 31/03/1998 made in O.S.No.157/1996 on the file of the District Munsif cum Judicial Magistrate at Eraniel.

ORDER:-

This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Ms. Ms.S.Suresh Kumar, Advocate for the Appellant, and none having appeared for the



Respondents either in person or by an Advocate, this Court made the following order: नयते

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The learned Counsel appearing for the appellant has filed a Memo, dated 14.07.2025.

2. As per the said memo, the third respondent had died on 17.03.2005 without leaving any issue. It is further stated that the fourth respondent had passed away on 24.04.2006 leaving behind her children, who are arrayed as respondents 2 and 3.

3. It is further submitted that the second respondent has also passed away on 13.06.2005 and his wife and son are settled in Kashmir and their whereabouts could not be traced. He seeks the permission of the Court to exempt the appellant from substituting the legal heirs of the second respondent.

4. Considering the above said facts, the appellant is exempted from impleading the legal heirs of the deceased second respondent.

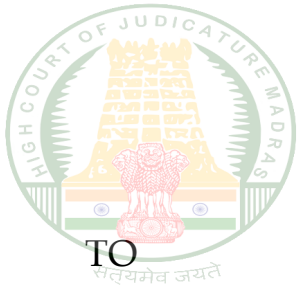
Sd/-

Assistant Registrar(CS II)

// True Copy //

/ /2025

Sub Assistant Registrar
(CS- I/ II / III / IV)



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1.The Subordinate Judge,
Padmanabhapuram,

2.The District Munsif cum Judicial Magistrate
at Eraniel

ORDER DATED: 15/07/2025

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ORDER

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SA. No.1258 of 2003

Giving direction and etc.
as stated within.

MGJ (08.09.2025) 3P/ 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023