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S.A.No.1152 of 2005

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2026

CORAM:

THE HONOURABLE MRS.JUSTICE P.VELMURUGAN

S.A.No.1152 of 2005

Chinnappaiya Nainar @ Chinnathambi
S/o.Ayyaswamy Nainar

... Appellant

..Vs..

1. Annamalai
S/o.Ayyaswamy Nainar
2. S.Ayyanar
S/o.Sanyasi Nainar
3. Virudhambal
W/o.Mannu Nainar @ Mannappa Nainar

...Respondents

PRAYER : Second Appeal filed under Section 100 C.P.C., against the judgment and decree dated 28.12.1998 made in A.S.No.103 of 1997 on the file of the Additional District Court, Tiruvannamalai, confirming the judgment and decree dated 30.07.1997 made in O.S.No.968 of 1989 on the file of the Additional District Munsif Court, Tiruvannamalai.

For Appellant : Mr.R.Sathish Kumar
for M/s.Sarvabhuanam Associates

For Respondents : No Appearance – R1



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JUDGMENT

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The appeal is pending from the year 2005 without any progress. On 12.01.2024, when the appeal was posted under the caption “default cases”, this Court granted time to the appellant to rectify the defect and ordered that on failure of the same, the second appeal shall stand dismissed automatically and hence the Second Appeal was dismissed vide order dated 12.01.2024 as against R2 and R3.

2 Today, when the matter is called for hearing, the learned counsel for the appellant represented that the sole appellant died in the year 2020 itself. But even after the expiry of statutory period of 90 days, till now, no steps has been taken to bring the legal representatives of the deceased sole appellant on record.

3 Hence the Second Appeal stands dismissed as abated. No costs.

05.06.2026

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To

1. The Additional District Court, Tiruvannamalai.

2. The Additional District Munsif Court, Tiruvannamalai.

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P.VELMURUGAN, J.

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