



S.A.(MD)No.141 of 2006

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 05.01.2026

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

S.A.(MD)No.141 of 2006

- 1.Swamy Reddiar (Died)
- 2.Vaiyanan
- 3.Pappu Reddiar
- 4.Subbiah Reddiar
- 5.Vaiyammal
- 6.Lakshmiammal
- 7.Shanmugaraj
- 8.Vasantha
- 9.Vasudevan
- 10.Renganayagi
- 11.Venkatesan
- 12.Paramasivan
- 13.Balasubramanian
- 14.Vaiyammal



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15.Pitchai Mokkaandi

16.Vinayagamoorthy

17.Sakthivel

18.Ambika

...Appellants

(Appellants 14 to 18 are brought on record as LR's of the deceased first appellant vide Court order dated 01.08.2008 made in M.P. (MD)No.2 of 2008 in S.A.(MD)No.141 of 2006)

vs.

1.Krishnasamy Reddiar

2.Varatharajan

3.Vaiyammal

4.Vaiyanan

5.Jeyaram

... Respondents

PRAYER: Second Appeal is filed under Section 100 of CPC, against the judgment and decree passed in A.S.No.23 of 2005 on the file of the Subordinate Judge, Kovilpatti, dated 24.08.2005 reversing the judgment and decree passed in O.S.No.39 of 2000 on the file of the District Munsif Court, Vilathikulam, dated 02.02.2005.

For Appellants : Mr.M.P.Senthil

For R-2 : Mr.R.Devaraj



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JUDGMENT

It is submitted by learned counsel for the appellants that all the five respondents have died; that an application under Order 22 Rule 4(1) of CPC has not been filed and that as a consequence, the appeal may be treated as abated. He also made the following endorsement:

“Since all the respondents were passed away long back the appeal had abated. The appellants have also not turned up to take steps. Hence, the above second appeal may be dismissed as abated.”

2. Recording the same, this Second Appeal is dismissed as abated.

No costs.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
Lm

05.01.2026



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To:

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- 1.District Munsif Court, Vilathikulam.
- 2.The Subordinate Court, Kovilpatti.
- 3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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MOHAMMED SHAFFIQ, J.

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