

**BEFORE THE PRINCIPAL DISTRICT COURT
VELLORE DISTRICT**

Present:- Dr.P.Murugan, Ph.D. (Law)
Principal District Judge
(J.O.Code - TN1793)

Friday, the 9th day of August, 2024

A.S.No.7 of 2020
CNR.No.TNVL01-002320-2020

1. P. Rajinikanth
 2. V.P. Vijayakumar
 3. P. Umadevi
- . . . Appellants

-VS-

1. Sadasivam
 2. Chinnakannu (Died)
 3. K. Duraikannu
 4. S. Ganesan
 5. Chinnaraj
- . . . Respondents

On appeal against the judgment and decree in
O.S.No.45 of 2004 dated 11.03.2020 passed by the
Additional Subordinate Judge, Vellore.

Between

1. P. Rajinikanth
 2. V.P. Vijayakumar
 3. P. Umadevi
- . . . Plaintiffs

-VS-

1. Sadasivam
2. Chinnakannu (Died)
3. K. Duraikannu
4. S. Ganesan
5. Chinnaraj

. . . Defendants

(D5 is added as per Order in
I.A.No.39/2006, dated 04.12.2006)

This appeal suit was coming before me today for hearing in the presence of Thiru.A. Kamalanathan and Thiru.V.Sudhakar, counsels for the appellant and, of Thiru.R.Lakshminarayanan and Thiru.B.Palanisamy, counsels for the 1st , 3rd and 4th respondents, 5th respondent called absent and set exparte on 23.06.2022 and memo filed by the appellants stating that R4 is dead and steps for R4 not taken since 08.03.2023, this appeal as against R4 is abated, when the case was posted for steps to amend the appeal memorandum, A1 present, steps not filed and upon perusing the entire case records, this court passes the following:-

JUDGMENT

The appellant filed the appeal suit under Order XLI Rule 1 and Section 96 of CPC to set aside the judgment and decree in O.S.No.45

of 2004, dated 11.03.2020 passed by the Additional Subordinate Judge, Vellore.

2. A1 present. Steps not filed. Appeal is dismissed for default. No cost.

Pronounced by me in Open Court, this the 9th day of August, 2024.

Principal District Judge
Vellore