



WEB COPY

S.A. No.156



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

**S.A. No.1561 of 2010
and M.P. No.01 of 2010**

Rajesh

th
... 4 Defendant/ Appellant/ Appellant

Vs.

1. Durgadevi @ Durgaparameshwari
2. Azhagappan
3. Saroja
4. Muthukumaran

(Since the Respondents 2 to 4 herein were
remained ex parte in the Courts below notice
may be dispensed with for them)

... Plaintiff & Defendants 1 to 3/
Respondents / Respondents

Prayer: Second Appeal filed Under Section 100 of Civil Procedure Code against the Judgment and Decree dated 19.07.2010 made in A.S. No.15 of 2007 on the file of the Court of Principal Subordinate Judge, Mayiladuthurai in confirming the Judgment and Decree dated 24.04.2006 made in O.S. No.496 of 2004 on the file of the Court of Additional District Munsif, Mayiladuthurai.

For Appellant : Mr. A. Muthukumar

R1 : Died

For RR 2 to 4 : Ex-parte (vide EB)



JUDGMENT

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When the matter was taken up for hearing today, the learned counsel appearing for the appellant submitted that, he is not in a position to get instructions from the appellant.

2. This Court, earlier directed the appellant to take steps to implead the Legal Heirs of the deceased first respondent, who is the contesting respondent in this appeal, however no steps have been taken till date.

3. In view of the above, this Second Appeal is dismissed as abated. Consequently, connected miscellaneous petition stands closed. No costs.

09.09.2026

stn

Index:Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No



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To:

1. The Principal Subordinate Judge, Mayiladuthurai.
2. The Additional District Munsif, Mayiladuthurai.
3. The Section Officer,
VR Section, High Court Madras,
Chennai.



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K. RAJASEKAR, J.

stn

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