

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2015

CORAM

THE HONOURABLE MR.JUSTICE P.R.SHIVAKUMAR

Second Appeal No.1268 of 1999

Ponnusamy Gounder
S/o Lakshmana Gounder

.. Appellant

-vs-

Seethalakshmi Ammal
W/o Ganapathy Gounder

.. Respondent

Memorandum of Grounds of Second Appeal under Section 100 of the Civil Procedure Code, against the judgment and decree dated 23.4.99 made in A.S.No.13 of 1998 passed by the learned Subordinate Judge, Madurantakam, reversing the judgment and decree dated 30.7.96 made in O.S.No.348 of 1991 passed by the learned District Munsif, Madurantakam.

For Appellant :: Mrs.C.R.Rukmani

For Respondent :: Mr.V.Raghavachari

JUDGMENT

Since there was no representation on the previous date of hearing, the matter stands listed today under the caption ''for dismissal''. Today the learned counsel for the appellant is present. On 11.8.2015, the learned counsel for the appellant informed the Court that she had information from another person hailing from the same village that the appellant was no more and that she needed time for taking follow up action. Today the learned counsel for the appellant submits that as per the information furnished to her, the sole appellant died two or three years back. However, the learned counsel submits that she is not in a position to confirm the date of death of the sole appellant. The fact remains that till date, no steps have been taken for impleading the legal representatives of the sole appellant who is reportedly dead. In view of the same, this Court deems it appropriate to dismiss the second appeal and

accordingly dismisses the same. It is clarified that the order of dismissal shall be superfluous in case the second appeal has already abated by operation of law. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

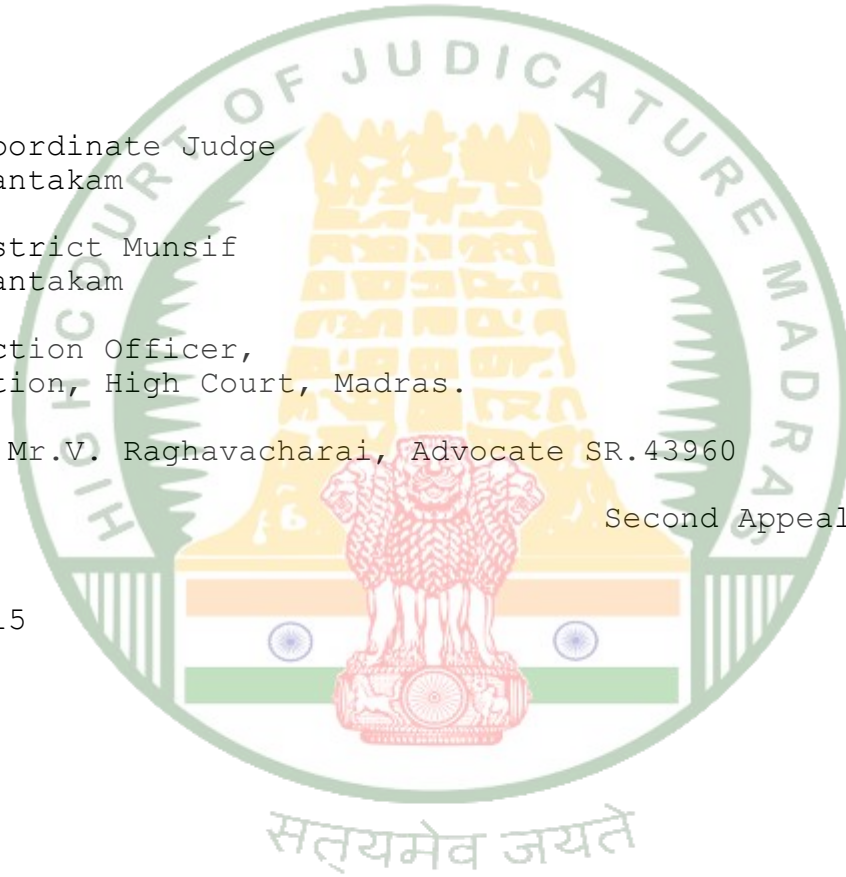
ss

To

1. The Subordinate Judge
Madurantakam
 2. The District Munsif
Madurantakam
 3. The Section Officer,
VR Section, High Court, Madras.
- + 1 cc to Mr.V. Raghavacharai, Advocate SR.43960

Second Appeal No.1268 of 1999

TS (CO)
EU 14.09.15



WEB COPY