



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 27.03.2015

CORAM:

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU

Second Appeal No.84 of 2011

C.A.Khabeer (Died)
Death of Sole Appellant
recorded vide order of Court,
dated 27.03.2015, memo dated
27.03.2015, made in S.A.No.84 of 2011

.. Appellant/Plaintiff

-Vs-

1. Razia
2. Eadgah Mosque Charities
rep. by Secretary,
No.9, Angappa Naicken Street,
Seethakathi Nagar, Chennai-1.

.. Respondents/9th &
13th Defendants

SECOND APPEAL filed under Section 100 of Code of Civil Procedure against the decree and judgment dated 09.04.2009 passed by the learned Additional District and Sessions Judge, Fast Track Court No.I, Chennai made in A.S.No.57 of 2004 dismissing the appeal and confirming the judgment and decree dated 21.10.2003 passed by the II Assistant Judge, City Civil Court, Chennai, dismissing the suit in O.S.No.11752 of 1988 in part with regard to the B schedule property.

For Appellant : died

For 1st Respondent : Mr.N.Sivaprakash
for Mr.S.Natana Rajan

For 2nd respondent : Mr.S.I.Samiullah

J U D G M E N T

The learned Counsel for the 1st respondent would state that the sole appellant Mr.C.A.Khabeer passed away on 29.04.2012.



2. On a perusal of the records, it appears that the appellant has not engaged any Counsel. All along, he is appearing in person.

3. The learned Counsel for the 1st respondent once again vouches for the correctness of the fact that Mr.C.A.Khabeer, the sole appellant passed away on 29.04.2012. He has also filed a memo to that effect.

4. Recording the same, the Second Appeal stands dismissed as abated. No costs.

Tsi

Sd/-

Assistant Registrar (C.O)

/True Copy/

Sub-Assistant Registrar

To

1. The Additional District and Sessions Judge,
Fast Track Court No.I,
Chennai.
2. The II Assistant Judge,
City Civil Court, Chennai.

S.A.No.84 OF 2011

RSI (CO)

sd : 24/11/2015