



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAISWAMY

S.A.(MD)No.492 of 2011

S.Arumughasamy

.. Appellant/Appellant/Defendant

Vs.

1.S.Rajarathinam

2.R.Sasikumar

.. Respondents 1&2/Respondents 1&2/
Plaintiffs 1 & 2

Prayer: Second Appeal filed under Section 100 of the Civil Procedure Code against the judgment and decree passed in A.S.No.94 of 2009, dated 09.11.2009, on the file of the Principal Subordinate Court, Madurai, confirming the decree and judgment, dated 07.08.2008, in O.S.No.826 of 2003, on the file of the Additional District Munsif Court, Madurai Town.

For Appellant : Mr.S.R.Thangasamy

For Respondents : Mr.M.Vaidhyalingam

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JUDGMENT

The learned Counsel appearing for the appellant submitted that the sole appellant had died and that the appellant's legal representatives have not filed any application to bring them on record as the legal representatives of the deceased sole appellant. Further the learned Counsel submitted that inspite of sending a registered letter to the parties, they have not received any instruction from them. That apart, the learned Counsel also submitted that his counter part has informed that the parties had settled the matter out of Court.



2. In view of the submissions made by the learned Counsel appearing for the appellant, since the appellants have not taken any steps to bring them on record as the legal representatives of the sole appellant, the Second Appeal stands dismissed as abated. There shall be no order as to costs.

SD
ASSISTANT REGISTRAR

TRUE COPY

SUB ASSISTANT REGISTRAR

To

1. The Principal Subordinate Court, Madurai.
2. The Additional District Munsif Court, Madurai Town.

1CC TO MR. T. ARUL, ADVOCATE SR: 5553

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KK-SKN-13.2.17

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