

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2018

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

SECOND APPEAL NO.1488 OF 2004
& C.M.P.NO.11653 OF 2004

O.J.Anbazhagan,
S/o.O.M.Jayavelu,
No.11, Kalyanasundaram Street,
West Tambaram,
Chennai

... Appellant/Appellant/1st Defendant

Vs.

Smt.Rani Ammal,
W/o.O.M.Jayavelu,
No.11, Kalyanasundaram Street,
West Tambaram,
Chennai.

... Respondent/Respondent/Plaintiff

PRAYER: This Second Appeal is filed under Section 100 of Civil Procedure Code, 1908, praying against the judgment and decree in A.S.No.250 of 2001 dated 27.02.2004 passed by the Additional District Judge, Fast Track Court No.3, Chennai-1, confirming the judgment and decree in O.S.No.3088 of 1998 dated 21.08.2001 passed by the XVIII Assistant Judge, City Civil Court, Chennai-104.

For Appellant : No appearance

For Respondent : No appearance

J U D G M E N T

This Second Appeal is pending from the year 2004. On 13.02.2014, when the matter was taken up for hearing, there was no representation for the appellant. The learned counsel for the respondent reported that the sole respondent died on 30.10.2013 and it appears that no steps have been taken by the appellant to bring on record the legal representatives of the respondent, on record. Hence, the matter was ordered to be listed on 14.02.2014 "for dismissal".

2.Today, this Second Appeal is listed before this Court. For all these years, the legal representatives of the respondent has not been impleaded by the appellant. It appears that the appellant is not interested to pursue the matter further. Accordingly, the Second Appeal is dismissed for non-prosecution. No costs. Consequently, Connected Miscellaneous Petition is also closed.

bsm

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Additional District Judge,
Fast Track Court No.3,
Chennai-1.
2. The XVIII Assistant Judge,
City Civil Court,
Chennai.
3. The Section Officer,
V.R.Section,
High Court,
Madras - 600 104. (2 copies)

Second Appeal No.1488 of 2004

EV(CO)
KAK(28/02/2019)

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