

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :21.12.2018

Coram:

THE HON'BLE DR.JUSTICE G. JAYACHANDRAN

Second Appeal No.460 of 2004

and C.M.P.Nos.3620 and 3621 of 2004

Pachianna Gounder

.. Appellant/Plaintif

/versus/

1.Rajanna

2.Palaniappan

3.Pachamuthu

4.Ravi

5.Radhakrishnan

... Respondents/Defendants

Second Appeal has been filed under Section 100 of the Civil Procedure Code against the judgment and decree dated 30.12.2003 made in A.S.No.48 of 2003 (on the file of the Subordinate Judge at Mettur) reversing the judgment and decree dated 22.08.2002 made in O.S.No.397 of 1999 (on the file of the District Munsif Court at Mettur).

For Appellant : Mr. Zeenath Begam

For Respondents : Mr. M. Udhayakumar

J U D G M E N T

The learned counsel appearing for the appellant submits that sole appellant died in the year 2017 and in spite of several letters sent to the legal representative of the deceased sole appellant whether to pursue the appeal or not, there is no instruction from the legal representative of the deceased sole appellant.

2. In the light of the above submission, this Second Appeal is dismissed as abated. No costs. Consequently, connected Miscellaneous Petitions are closed.

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Sd/-

Assistant Registrar (CS )

//True Copy//

Sub Assistant Registrar

To

1.The Subordinate Judge at Mettur.

2.The District Munsif, Mettur.

Copy to

The section officer,

VR Section, High court, Madras

+lcc to Mr. Zeenath Begam , Advocate SR.No. 89324

+lcc to Mr. M. Udhayakumar, Advocate SR.No. 480

Second Appeal No.460 of 2004 and

C.M.P.Nos.3620 and 3621 of 2004

A. SK (24/01/2019)