

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15-11-2018

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Second Appeal No.1254 of 2005

And

C.M.P.No.17093 of 2005

Gopal Gounder

.. Appellant

Vs

Ramasamy

.. Respondent

Second Appeal is preferred under Section 100 of the Code of Civil Procedure, against the judgment and decree passed in A.S.No.40 of 2004 on the file of the II Additional Sub Court, Villupuram dated 30.3.2005, confirming the judgment and decree passed in O.S.No.387 of 2002 dated 21.11.2003 on the file of the District Munsif Court, Tirukovilur.

For Appellant : Mrs.Mahamandra Rajalakshmi
for M/s.Sarvabhauman Associates.

For Respondent : Mr.R.Balakrishnan

J U D G M E N T

The learned counsel appearing on behalf of the respondent brought to the notice of this Court that the sole appellant in the Second Appeal passed away during the year 2011 itself. The learned counsel for the appellant states that she has no instructions in this regard.

2. In view of the fact that the learned counsel for the respondent states that the sole appellant died in the year 2011 and the learned counsel for the appellant is unable to secure instructions for the past eight years, there is no point in keeping the Second Appeal pending any further. Accordingly, the Second Appeal stands dismissed as abated. However, the learned counsel for the appellant is at liberty to reopen the Second

Appeal if she has decided to do so. Consequently, connected miscellaneous petition is also dismissed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Svn

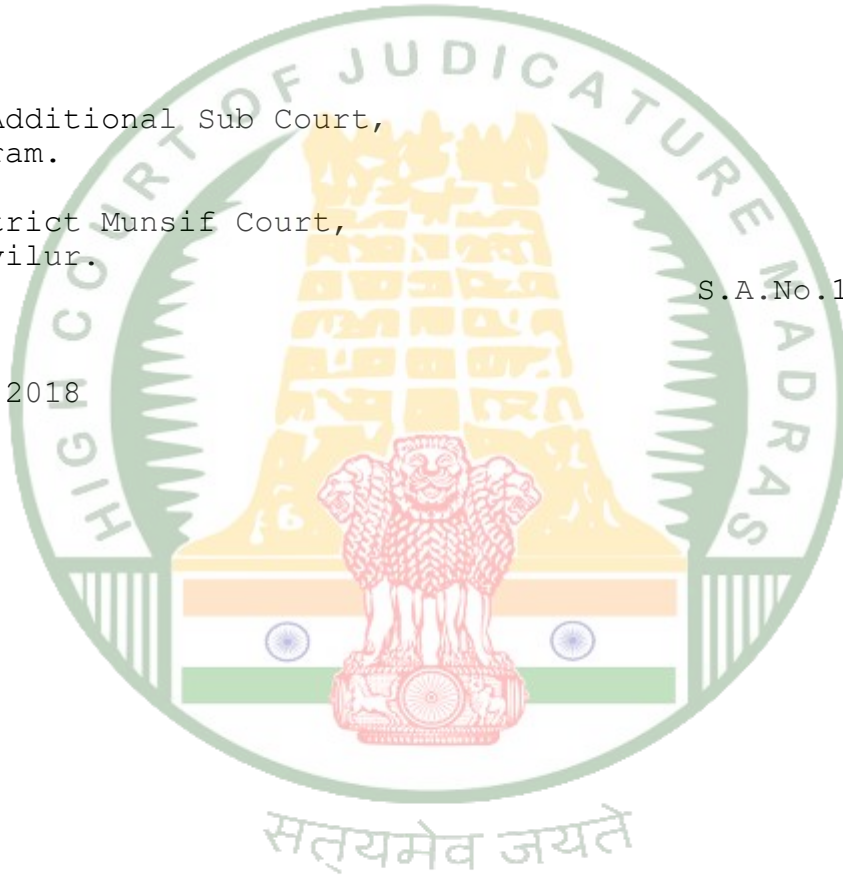
To

1.The II Additional Sub Court,
Villupuram.

2.The District Munsif Court,
Tirukovilur.

S.A.No.1254 of 2005

RR(CO)
CSL/06.12.2018



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