

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:10.07.2018

CORAM:

THE HON'BLE MR.JUSTICE T.RAVINDRAN

S.A.No.1879of 2004

Krishnamoorthy

...Appellant

Vs.

Sri Mukthi Panchatchara Desigarathinam
Thiruvavaduthurai Madam
rep. By its Adhinakartha
Sri-La-Sri Sivaprakasa Pandara Sannidhi,
Thiruvavaduthurai,
Mayiladuthurai Taluk,
Nagapattinam District.

[Cause title accepted
vide order dated 06.08.2004
made in C.M.P.No.12814 of 2004] ...Respondent

Prayer: Second Appeal filed under Section 100 of C.P.C.,
against the decree and judgment of the Principal Sub Court,
Mayiladuthurai made in A.S.No.39 of 2003 dated 22.01.2004
confirming the judgment and decree of the District Munsif Court,
Sirkali made in O.S.No.267 of 1997 dated 14.01.2003.

For Appellant : Mr.S.Sounthar

For Respondent : Mr.K.Chandrasekaran

J U D G M E N T

Both counsel present.

2.Despite sufficient opportunities, steps had not been taken to file necessary petition for substituting the deceased Adhinakartha. Counsel for the appellant has made an endorsement that despite letter sent to the appellant, no steps had been taken to file the substitution petition. Accordingly, prays the Second Appeal may be disposed of accordingly.

3.In the light of the above position, inasmuch as no proper steps had been taken to file the substitution petition and proceed with the Appeal, hence, the second appeal is dismissed for non-prosecution with costs. Consequently, connected miscellaneous petition, if any, is closed.

Sd/-
Assistant Registrar(CS VII)

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Sub Assistant Registrar

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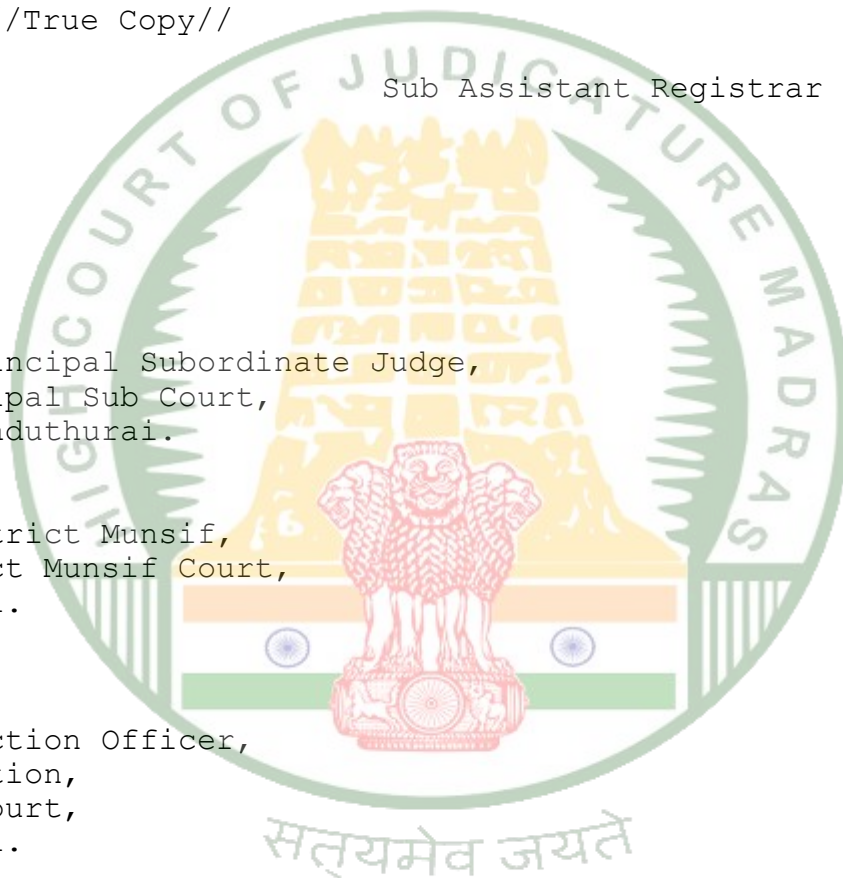
To

1. The Principal Subordinate Judge,
Principal Sub Court,
Mayiladuthurai.

2.The District Munsif,
District Munsif Court,
Sirkali.

Copy to

The Section Officer,
VR Section,
High Court,
Chennai.



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