



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Thursday, the Fifth day of April Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.SUNDAR

CMP(MD) No.7215 of 2017

IN

AS No.926 of 1993

MR. P.DEVARAJ @ THYAGARAJAN

... PETITIONER / APPELLANT

Vs

MR.M. VASUDEVAN

... RESPONDENT / RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to receive the documents mentioned in the petition filed under order 41 rule 27 as additional evidence in the above first appeal.

PRAYER IN AS No.926 of 1993:-

to prefer this Memorandum of Regular Appeal against the decree and Judgment dated 15.09.1993 in O.S.No.93 of 1990 on the file of the Subordinate Judge, Kuzhithurai

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.P.THIAGARAJAN, Advocate for the petitioner and the court made the following order:-

Appellant in the main appeal has taken out this petition, *inter alia* under Order 41 Rule 27 of Civil Procedure Code, 1908 with a prayer to mark additional documents.

2.In this petition, sole respondent in the main appeal i.e., M.Vasudevan has been arrayed as sole respondent. I am informed that sole respondent M.Vasudevan died on 03.10.2017.

3.Petition for bringing on record legal heirs of the deceased M.Vasudevan, has also been taken out and notice has been ordered in the same, today.

4.Therefore, this petition is closed with liberty to the appellant to renew the prayer qua legal heirs, if they are brought on record. Certified copy of the documents sought to be marked as additional exhibits, which have been filed along with this petition shall be returned to the learned counsel by the Registry, within next five working days.



5. Petition is closed with liberty, as set out supra.

sd/-
05/04/2018

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/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE SUBORDINATE JUDGE,
KUZHITHURAI

dsk
JAM/11/04/2018/ PN / SAR 2/ 2p-2c

ORDER
IN
CMP (MD) No.7215 of 2017
IN
AS No.926 of 1993
Date :05/04/2018