



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.7179 of 2016

IN

AS No.926 of 1993

VASUDEVAN

... PETITIONER / RESPONDENT

Vs

P.DEVARAJ @ THYAGARAJAN

... RESPONDENT / APPELLANT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to receive additional documents mentioned in the accompanying affidavit (Certificate issued by Village Officer, Karode and the English Translation) as additional evidence in the above A.S.No.926 of 1993 and render jusice.

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. K.SREEKUMARAN NAIR, Advocate for the petitioner and the court made the following order:-

This petition has been taken out by the sole respondent in the main appeal, i.e., M.Vasudevan, *inter alia* under Order 41 Rule 27 of Civil Procedure Code, 1908 with a prayer to mark one document i.e., certificate issued by the Village Officer as additional evidence.

2. Be that as it may, I am informed that aforesaid sole respondent M.Vasudevan is no more and his date of demise is 03.10.2017.

3.Today, petition for bringing on record legal heirs of deceased M.Vasudevan, has been taken out by the appellant vide CMP (MD)No.10844 of 2017 in A.S.No.926 of 1993 and notice has been ordered in the same.

4.therefore, this petition is closed. Leave and liberty is reserved, if legal heirs of M.Vasudevan are brought on record to



revive the prayer by way of fresh application. Copy of the document sought to be marked as additional exhibit, which has 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

/ 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.7179 of 2016

IN

AS No.926 of 1993

Date :05/04/2018