



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2018

CORAM:

**THE HONOURABLE MR. JUSTICE S.S.SUNDAR**

S.A. (MD) No.392 of 2017

and

C.M.P. (MD) No.8327 of 2017

Mariammal

... Appellant/Appellant/Plaintiff  
-Vs-

1.Kesavan

2.Velmurugan

3.Mohan

... Respondents/Respondents/Defendants

PRAYER: Second Appeal is filed under Section 100 of the Civil Procedure Code, to set aside the Judgment and Decree of the Lower Appellate Court dated 28.09.2012 passed in A.S.No.38 of 2011 on the file of the Subordinate Court, Sivakasi, conforming the Judgment and Decree of the Trial Court dated 05.10.2010 passed in O.S.No.177 of 2008 on the file of the District Munsif Court, Sivakasi and to allow the present Second Appeal.

For Appellant

: No appearance

\*\*\*\*\*

JUDGMENT

Despite the fact that the sole appellant in this appeal died on 08.09.2017, no steps have been taken so far. When the matter was posted earlier on 31.01.2018, there was no representation for the appellant. This Court also noticed earlier that the Counsel for the appellant was absent on several occasions. Even today, there is no representation for the appellant, despite the matter is posted under the caption "for dismissal". Hence, this Court has no other option, but to dismiss the petition. As a result, this appeal is dismissed as abated. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(W)

/True copy/

Sub-Assistant Registrar

To

1.The Subordinate Court, Sivakasi.

2.The District Munsif Court, Sivakasi.

Copy to:- The Section Officer, V.R.Section (2 copies)

Madurai Bench of Madras High Court, Madurai.

Cmr

RL/5C/1P/SV/MMS/SAR1/20/2/2018

<https://hcservices.ecourts.gov.in/hcservices/>

Judgment made in

S.A. (MD) No.392 of 2017

01.02.2018