



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 21.08.2018
CORAM

THE HONOURABLE MRS. JUSTICE R. THARANI

S.A.(MD)No.280 of 2016

A.Bose

.. Appellant/Appellant/Defendant

Vs.

1.Chittammal

2.Paldurai

3.Chellathai

4.Lakshmi

5.Mekala

.. Respondents/Respondents/Plaintiffs

Prayer : This Second Appeal is filed under Section 100 of Civil Procedure Code, against the decree and judgment of the III Additional Subordinate Judge, Madurai, Camp at Usilampatti in A.S.No.188 of 2005 dated 23.07.2009 confirming the decree and judgment of O.S.No.32 of 1999 dated 06.04.2004 on the file of the District Munsif cum Judicial Magistrate No.I, Usilampatti.

For Appellant : No appearance

For Respondents : No appearance

JUDGMENT

On 09.08.2018, the learned counsel for the appellant represented that there is no instructions from the appellant and the registry was directed to print the name of the appellant.

2.Records Perused.

3.On verification from the records today (21.08.2018), it is seen that the appellant was dead and it was represented on 23.07.2016. But no memo was filed to that effect. No steps was taken.



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4. In this circumstances, there is no use in keeping the Second Appeal pending without any process. Hence, this Second Appeal is dismissed as abated. No costs.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The III Additional Subordinate Judge,
Madurai Camp at Usilampatti .
2. The District Munsif cum Judicial Magistrate No.I,
Usilampatti.
3. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai. (**2copies**)

S.A. (MD) No.280 of 2016
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LS
ES/RP/SAR 1/18.09.2018/2P/5C