

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.01.2019

Coram:

THE HONOURABLE MS.JUSTICE P.T.ASHA

C.M.P.No.4355 of 2004
and
S.A.SR.No.54882 of 2002

A.Venkatesan .. Appellant

Vs

Muthavalli .. Respondent

PRAYER in C.M.P.No.4355 of 2004: The Civil Miscellaneous Petition filed under Section 5 of the Limitation Act to condone the delay of 524 days in preferring the Second Appeal as against the Judgment and Decree passed in A.S.No.12 of 1993 on the file of the Sub Court, Tirupattur, confirming the judgment of the Trial Court in O.S.No.811 of 1986 on the file of the Principal District Munsif Court, Tirupattur.

PRAYER in S.A.SR.No.54822 of 2002: The Second Appeal filed under Section 100 of the Civil Procedure Code to set aside the judgment and decree made in O.S.No.811 of 1996 by the Principal District Munsif Court, Tirupattur, dated 07.04.1992 as confirmed in A.S.No.12 of 1993, by the Sub Court, Tirupattur, dated 27.03.2002.

For Appellant : Mrs.Vasudha Thiagarajan

O R D E R

It is reported that the sole appellant had died six years back and steps have been taken to bring on record the legal representatives. That apart, the very petition is pending before this Court to condone the delay of 524 days in filing the Second Appeal.

2. Considering the above, the petition is dismissed as abated. Consequently, Second Appeal is also dismissed as abated.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssi/dua

To

1. The Sub Court, Tirupattur.

2. The Principal District Munsif Court, Tirupattur.

Copy to:

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

C.M.P.No.4355 of 2004
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nr 05/03/2019