

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:29.03.2019

CORAM

THE HONOURABLE MR. JUSTICE T.RAVINDRAN

S.A.No.1203 of 2003

Ayyammal

...Appellant

Vs.

Nallayan (died on 28.02.2002)

1.Amshavalli
2.Shanmugam
3.Muthukannu

...Respondents

Cause title accepted vide as per order dated
27.06.2003 made in CMP No.7937 of 2003

Prayer:

Second Appeal filed under Section 100 of Civil Procedure Code, against the judgment and decree dated 28.02.2002 made in A.S.No.193 of 2001 on the file of the Principal District Court, Erode, reversing the judgment and decree dated 30.07.2001 made in O.S.No.188 of 1999 on the file of the District Munsif Court cum Judicial Magistrate, Perundurai.

For Appellant : Mr.N.Manokaran

For Respondents : Mrs. P.T.Ramadevi

JUDGMENT

This matter has been posted now and then for enabling the appellant's counsel to take steps for the deceased appellant and proceed with the matter in accordance with law. However, steps have not been taken. Today, the counsel for the appellant has filed a memo reporting no instructions. The said memo is taken on record. The counsel for the respondents present.

2. In the light of the above position, inasmuch as no steps have been taken to implead the legal heirs of the deceased appellant on record to proceed with the matter as per law, in my considered opinion, there is no purpose in keeping the appeal further pending.

3. In view of the abovesaid facts, the second appeal is dismissed as abated. No costs. Consequently, connected miscellaneous petition, if any, is closed.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

bga

1. Principal District Court, Erode.
2. District Munsif Court cum Judicial Magistrate, Perundurai.

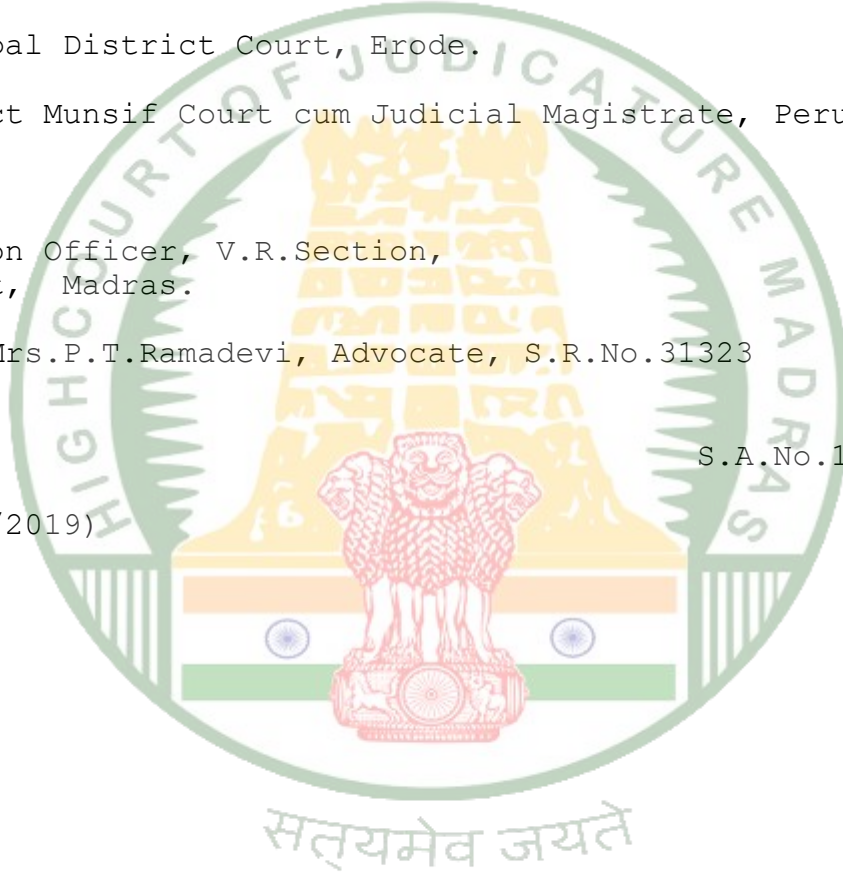
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The Section Officer, V.R.Section,
High Court, Madras.

+1 cc to Mrs.P.T.Ramadevi, Advocate, S.R.No.31323

S.A.No.1203 of 2003

KS(CO)
SSM(29/05/2019)



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