

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2019

CORAM

THE HONOURABLE MR. JUSTICE T.RAVINDRAN

S.A.Nos.1558 and 1559 of 2005
and
C.M.P. Nos.20100 and 20101 of 2005

M.Durai Naicker ...Appellant/Appellant/Defendant
in both the second appeals

Vs.

G.Krishnaveni ...Respondent/Respondent/Plaintiff
in both the second appeals

Prayer:

Second Appeals filed under Section 100 of Civil Procedure Code, against the judgment and decree dated 17.06.2004 made in A.S.Nos. 52 and 51 of 2003 on the file of the Additional District Judge, Fast Track Court No.V, Chengalpattu at Thiruvallur and by confirming the judgment and decree dated 13.08.2003 in O.S.Nos.624 of 1992 and 70 of 1990 on the file of the learned district Munsif Court, Thiruvallur.

For Appellant : Mr.A.R.Suresh in both appeals

For Respondent : Mr.A.S.Vijay Anand in both appeals

COMMON JUDGMENT

Counsel for the appellant represents that he is unable to ascertain the legal heirs of the deceased sole respondent and proceed further with the prosecution of the appeals in the manner known to law and accordingly prays for the dismissal of the second appeals as abated.

2. Inasmuch as the sole respondent had died on 28.05.2010 and even thereafter, no appropriate steps have been taken to bring her legal heirs on record to prosecute the appeals further

in the manner known to law, there is no prupose in keeping the appeals further pending.

3. In the light of the above position, the Second Appeals are dismissed as abated. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

bga

1. Additional District Judge, Fast Track Court No.V,
Chengalpattu at Thiruvallur
2. District Munsif Court, Thiruvallur.

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

+1cc to Mr.A.R.Suresh, Advocate SR.No.20797

+1cc to Mr.AS.Vijay Anand, Advocate SR.No.19767

S.A.Nos.1558 and 1559 of 2005
and
C.M.P. Nos.20100 and 20101 of 2005

FJ(CO)
GMY(02/04/2019)

सत्यमेव जयते

WEB COPY