

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

S.A.No.1586 of 2005

K.Gaffor Khan

...Appellant

Vs.

1. Afsari Begum

2. N.Magbul John

3. Sardar Khan

4. N.Farook John

...Respondents

Prayer:

Second Appeal filed under Section 100 of Civil Procedure Code, against the judgment and decree dated 26.10.2005 made in A.S.No.16 of 2005 on the file of the Sub ordinate Judge, Mettur in modifying the judgment and decree dated 16.08.2004 made in O.S.No.32 of 1997 on the file of the District Munsif Court, Mettur.

For Appellant : Mr.J.Ramakrishnan

For Respondents : Mr.K.V.Sundararajan

JUDGMENT

It is represented by the counsel for the appellant that the sole appellant as well as the first respondent had died long back and represents that no instruction had been received by him to proceed further in this matter and accordingly made an endorsement that the second appeal may be dismissed as abated.

2. Considering the fact the no steps have been taken to bring the legal heirs of the sold appellant as well as the first respondent on record and proceed with the matter as per law, there is no purpose in keeping the second appeal further pending.

3. In the light of the above position, the second appeal is dismissed as abated. No costs. Consequently, connected miscellaneous petition, if any, is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

bga

1. Sub ordinate Judge, Mettur
2. District Munsif, Mettur.

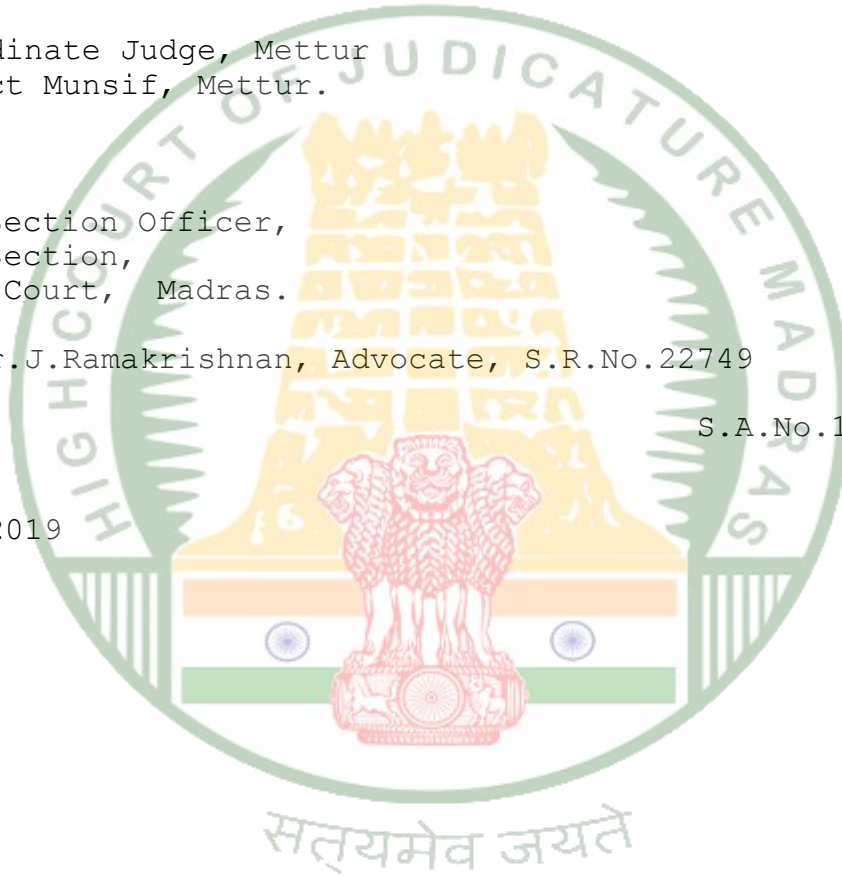
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The Section Officer,
V.R.Section,
High Court, Madras.

+1cc to Mr.J.Ramakrishnan, Advocate, S.R.No.22749

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NRL(CO)
CS/23/05/2019



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