

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2019

CORAM

THE HONOURABLE MR. JUSTICE T.RAVINDRAN

S.A.No.2071 of 2003
and
C.M.P. No.19012 of 2003

Kuppusamy ...Appellant/Respondent/Plaintiff

Vs.

Lakshmi ...Respondent/Appellant/Defendant

Prayer:

Second Appeal filed under Section 100 of Civil Procedure Code, against the judgment and decree passed in A.S.No.17 of 1999 dated 13.11.2002 on the file of Subordinate Judge's court at Dharmapuri reversing the judgment and decree dated 17.03.1999 passed in O.S.No.32 of 1996 on the file of District Munsif cum Judicial Magistrate court at Palacode.

For Appellant : Mr.V.R.Anna Gandhi

For Respondent : No appearance

JUDGMENT

This matter has been pending for taking steps for the deceased appellant. However, steps had not been taken to bring the legal heirs of the deceased appellant and proceed with the appeal as per law. Counsel for the appellant also represents that he is unable to obtain the particulars of the deceased appellant and proceed with the matter and accordingly also made an endorsement to dismiss the appeal as abated.

2. In the light of the above position, there is no purpose in keeping the appeal further pending, as no proper steps had been taken to bring the legal heirs of the deceased appellant and continue the matter as per law.

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

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

bga

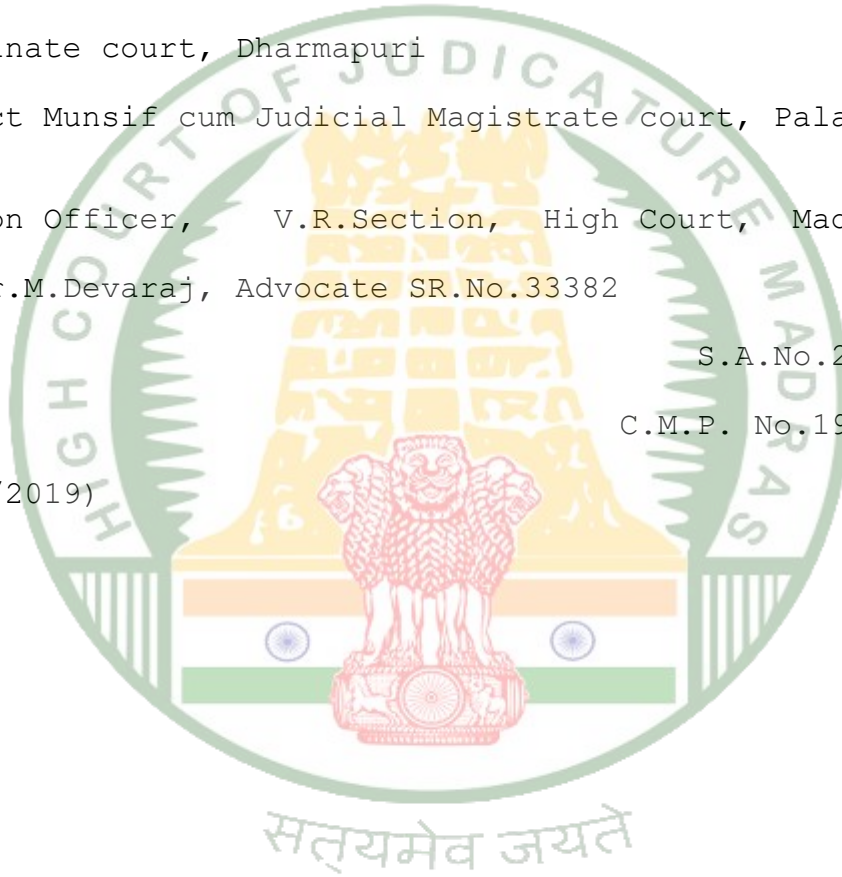
1. Subordinate court, Dharmapuri
2. District Munsif cum Judicial Magistrate court, Palacode.

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

+1cc to Mr.M.Devaraj, Advocate SR.No.33382

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RJI (CO)
GMY (21/05/2019)



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