



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2019

CORAM

WEB COPY

THE HONOURABLE MRS. JUSTICE R. THARANI

S.A.(MD)No.32 of 2009

S.Kaalankaraiyaan .. Appellant/Defendant

Vs.

Parvathiammal .. Respondent/Plaintiff

Prayer : This Second Appeal is filed under Section 100 of Civil Procedure Code, against the judgment and decree passed in A.S.No.101 of 2007 on the file of the learned Principal Sub Judge, Tirunelveli, dated 16.09.2008 reversing the judgment and decree passed in O.S.No.34 of 2006 on the file of the learned First Additional District Munsif, Tirunelveli, dated 21.07.2007.

For Appellant : Mr.S.Yasar Arafath

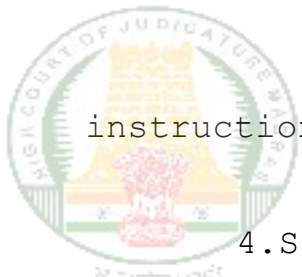
For Respondent : Mr.H.Arumugam

J U D G M E N T

Both side present.

2.The learned counsel for the appellant was represented on 10.06.2019 has stated that the sole appellant was dead and hence, the appeal was adjourned to 17.06.2019, for taking steps to implead the legal heirs of the deceased appellant. Thereafter, the matter was listed on 24.06.2019, 03.07.2019, 12.07.2019, and 19.07.2019. On all those days, no steps were taken by the learned counsel for the appellant to implead the legal heirs of the deceased sole appellant.

3.Today (22.07.2019), when the matter was taken up for hearing, the learned counsel for the appellant reported 'no
<https://hcservices.ecourts.gov.in/hcservices/>



instruction'.

4. Since this Second Appeal is pending from the year 2009, there is no useful purpose would be served in keeping the appeal pending further. Hence, this Second Appeal is dismissed as abated. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Principal Subordinate Judge,
Tirunelveli.

2. The First Additional District Munsif,
Tirunelveli.

3. The Section Office,
VR Section,
Madurai Bench of Madras High Court,
Madurai. (2 copies)

+1 CC to M/s.H.ARUMUGAM, Advocate (SR-77805[F] dated 26/07/2019)

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25.07.2019

Ls

AE/ (09.08.2019) 2P 6C