



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2019

CORAM

WEB COPY

THE HONOURABLE MRS. JUSTICE R. THARANI

S.A.(MD)No.918 of 2009

Murugesan .. Appellant/1st Defendant
Vs.
1.Periyasamy ... 1st Respondent/Plaintiff
2.Subburaman ... 2nd Respondent/2nd Defendant

Prayer : This Second Appeal is filed under Section 100 of the Civil Procedure Code, against the judgment and decree passed in A.S.No.26 of 2007 on the file of the learned Subordinate Judge, Kulithalai, dated 27.02.2008, confirming the judgment and decree passed in O.S.No.14 of 2003 on the file of the learned District Munsif, Kulithalai, dated 23.04.2007.

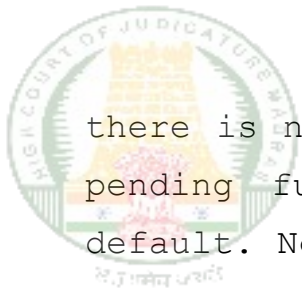
For Appellant	: No appearance
For R1	: No appearance
For R2	: Died

J U D G M E N T

Today (22.07.2019), when the matter was taken up for hearing, there is no representation on the side of the appellant and also steps were not taken to implead the legal heirs of the deceased second respondent.

2.Earlier, on 26.04.2019, it was represented that the second respondent was dead and hence, the appeal was adjourned to 07.06.2019, for taking steps to implead the legal heirs of the deceased second respondent. Thereafter, the matter was listed on 19.06.2019, 27.06.2019, 05.07.2019, and 15.07.2019. On all those days, no steps were taken to implead the legal heirs of the deceased second respondent.

3.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 for default. No costs.

WEB COPY

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Subordinate Judge,
Kulithalai.
2. The District Munsif,
Kulithalai.
3. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.(2 copies)

+1 CC to Mr.V.BALAJI, Advocate (SR-77387[F] dated 24/07/2019)

S.A.(MD)No.918 of 2009
22.07.2019

LS

AE/(13.08.2019) 2P 6C