



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.11.2019

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

C.M.P (MD) No.12116 of 2016

in

S.A (MD) No.SR43793 of 2016

1.Devikala
2.Shunmugam
3.Mahadevan

... Petitioners / Appellants

Vs.

M.Arumugam Pillai

...Respondent / Respondent

PRAYER (C.M.P. (MD) No.12116 of 2016): Civil Miscellaneous petition filed under Section 5 of Limitation Act, to condone the delay of 1776 days in filling the second appeal.

PRAYER (S.A (MD) No.SR43793 of 2016): This Second Appeal filed under Section 100 of the Code of Civil Procedure, against the judgment and decree passed confirming the judgment and decree passed in O.S.No.175 of 2005 dated 23.06.2009 on the file of the Principal Subordinate Judge, Nagercoil.

For Petitioners : Mr.K.Sree Kumaran Nair
For Respondent : No appearance

ORDER

The learned counsel for the petitioners would submit that the first appellant died nearly a year ago. The legal heirs have not come forward to contact the counsel and he would further submit that the petitioners 2 and 3 are not interested in prosecuting the matter. Therefore, the Civil Miscellaneous Petition stands closed. Consequently, the second appeal, which is in SR stage, is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)



To

1.The District Judge, Kanyakumari at Nagercoil.

2.The Principal Subordinate Judge, Nagercoil.

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CP

SMA/13/12/19/2P/3C