



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2019

CORAM:

THE HONOURABLE **MR. JUSTICE S. S. SUNDAR**

S.A. (MD) No. 393 of 2015

and

M.P. (MD) No. 1 of 2015

Jeyaraj

... Appellant/Appellant/Plaintiff

Vs.

Chithiraivalli

... Respondent/Respondent/Defendant

Prayer: Second Appeal is filed under Section 100 of Civil Procedure Code, to set aside the judgment and decree made in A.S.No.51 of 2014, dated 10.03.2015 on the file of the Principal Subordinate Court, Dindigul, confirming the judgment and decree made in O.S.No.356 of 2012, dated 29.10.2013 on the file of the Additional District Munsif Court, Dindigul.

For Appellant

:Mr.M.Thirunavukkarasu

For Respondent

:Mr.P.Balamurugan

JUDGMENT

Though it was wrongly recorded in the docket order, dated 12.07.2019 that representation was made about the death of sole respondent, it is stated by the learned Counsel for the appellant that the sole appellant is no more. It is further stated that he is unable to find out the particulars about the legal representatives of the sole appellant, as the letter addressed to the appellant is returned with an endorsement, "Not known". It is in the stated circumstances, the learned Counsel for the appellant submitted that the appeal may be dismissed as abated.

2. In view of the submission made by the learned Counsel for the appellant, this second appeal is dismissed as abated. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //



To

1.The Principal Subordinate Judge, Dindigul.

2.The Additional District Munsif, Dindigul.

Copy to:

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

S.A. (MD) No.393 of 2015
19.07.2019

cmr

AE/ (29.07.2019) 2P 5C