

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.01.2020

Coram

The Hon'ble Mr. Justice V.PARTHIBAN

Second Appeal No.1192 of 2007

Arumugham

...Appellant/Plaintiff

Vs.

1.Subramani

2.Kosalai

...Respondents/Defendants

Second Appeal filed under Section 100 of C.P.C against the Judgment and decree dated 21.11.2005 in A.S.No.25 of 2003 on the file of the Principal District Court, Namakkal confirming the Judgment and decree dated 29.11.2002 made in O.S.No.383 of 1997 on the file of the Principal District Munsif Court, Namakkal.

For Appellant

... T.Dhanyakumar

For Respondents

... Mr.S.Saravanan (for R.1)

Notice dispensed with for R.2

JUDGMENT

Earlier, when the petition was filed for impleadment, this Court by order dated 13.12.2019 dismissed the same as not maintainable.

2.Today, when the matter is listed for hearing, learned counsel seeks time for filing legal heir petition on the death of the sole appellant. However, the request was strongly objected by the learned counsel for the respondents stating that earlier the petition for impleadment has been dismissed as not maintainable and the appellant appears to have been died in the year 2015 and therefore, the appeal itself is abated.

3.In view of the above observations, the Second Appeal stands dismissed as having been abated. No costs.

Sd/-
Asst.Registrar (CO)

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Sub Asst. Registrar

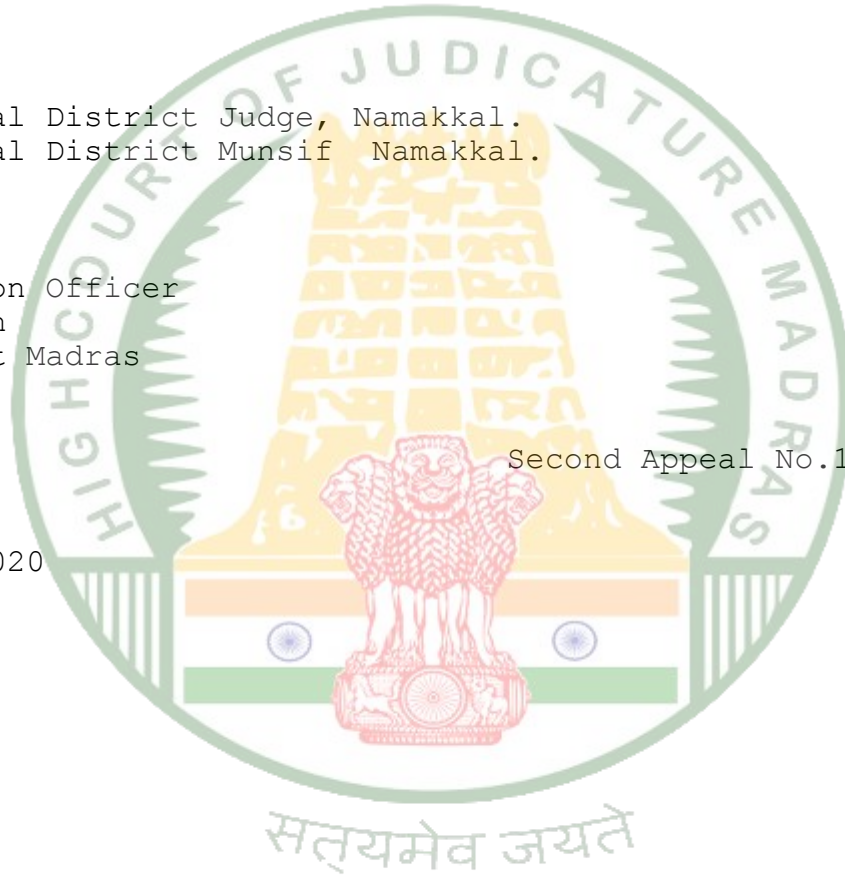
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To

- 1.Principal District Judge, Namakkal.
- 2.Principal District Munsif Namakkal.

copy to
The Section Officer
VR Section
High Court Madras

Second Appeal No.1192 of 2007

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