

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2020

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Second Appeal No.1233 of 2009

and

M.P.No.1 of 2009

M.Rajeswari

.. Appellant

/versus/

1.Ayyammal

2.Selvaraj @ Vairaperumal

.. Respondents

Prayer: Second Appeal has been filed under Section 100 of the Civil Procedure Code against the judgment and decree dated 23.06.2009 made in A.S.No.2 of 2007 on the file of the learned Subordinate Judge, Udumalpettai, confirming the judgment and decree dated 19.10.2006 made in O.S.No.184 of 2000 on the file of the learned District Munsif, Udumalpettai.

For Appellant :No Appearance

For Respondents:R1 died (steps not taken)

R2-No appearance

J U D G M E N T

(The case has been heard through Video Conferencing)

The Second Appeal is directed against the concurrent finding of the Courts below, dismissing the suit filed by the appellant.

2. On 10.09.2015, it was reported by the respondent counsel that the first respondent died and steps have to be taken to bring the L.Rs. But even after lapse of five years, the appellant has not taken steps to bring the L.Rs. of the deceased first respondent, who is the contesting respondent in the matter. Further, when the matter was listed in Video Conferencing mode on 14.07.2020, the learned counsel sought for physical hearing. Hence, the matter is listed today for hearing the learned counsel for the counsels. Learned counsel for the appellant is not present and no steps have been taken to bring

the L.Rs. of the deceased first respondent. Hence the Second Appeal is dismissed for default. No costs. The connected miscellaneous petition is closed.

s/d-
Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

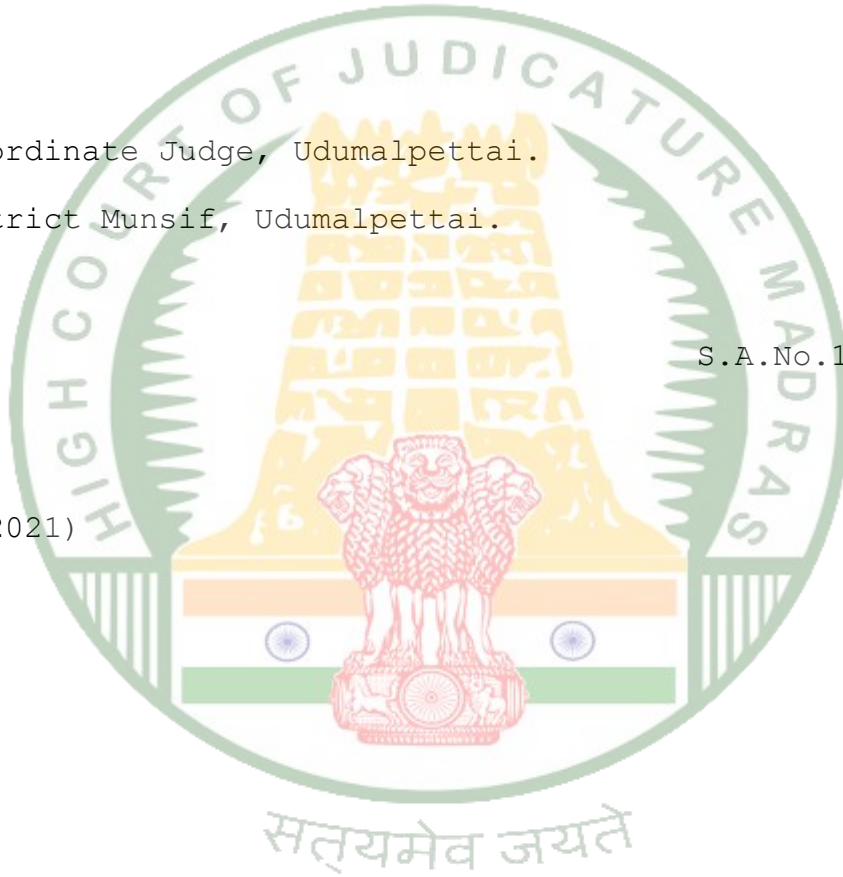
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To:

- 1.The Subordinate Judge, Udumalpettai.
- 2.The District Munsif, Udumalpettai.

S.A.No.1233 of 2009

PM(CO)
SP(09/02/2021)



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