

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2020

CORAM :

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

S.A.No.444 of 2007

& CMP.No.1430 of 2007

Thiagarajan

... Appellant/2nd defendant

Vs.

1.Dhanakotti
2.G.Kadirvelu
3.V.Jeeva
4.Thulasi
5.Vijayakumar
6.Ammu

... Respondents /Defendants 1,3 and
5 to 7

(Respondents 4 to 6 are given up)

Prayer:- This Second Appeal has been filed under Section 100 of Civil Procedure Code against the Judgment and decree dated 15.04.2004 made in A.S.No.22 of 2003 on the file of the Additional District Judge, Fast track Court No.V, Tiruvallur in confirming the judgment and decree dated 07.01.2003 passed in O.S.No.337 of 1992 on the file of District Munsif Court, Tiruvallur.

For Appellant : Mr.V.S.Sivasundaram

J U D G M E N T

Today, when the matter is taken up for hearing, the learned counsel appearing for the appellant submitted that the sole appellant died as early as on 19.11.2008. Despite his efforts to contact with the parties concerned, he was unable to get any information regarding the legal heirs of the deceased sole appellant. Therefore, the learned counsel submitted that he is constrained to file a memo dated 21.02.2020 setting out the facts as per his submission. The said memorandum is taken on record.

2. In view of the memo filed by the learned counsel for the deceased appellant, this Court has no other option except to dismiss the Second Appeal as having abated. Accordingly, this Second Appeal is dismissed as abated. No costs. Consequently connected miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

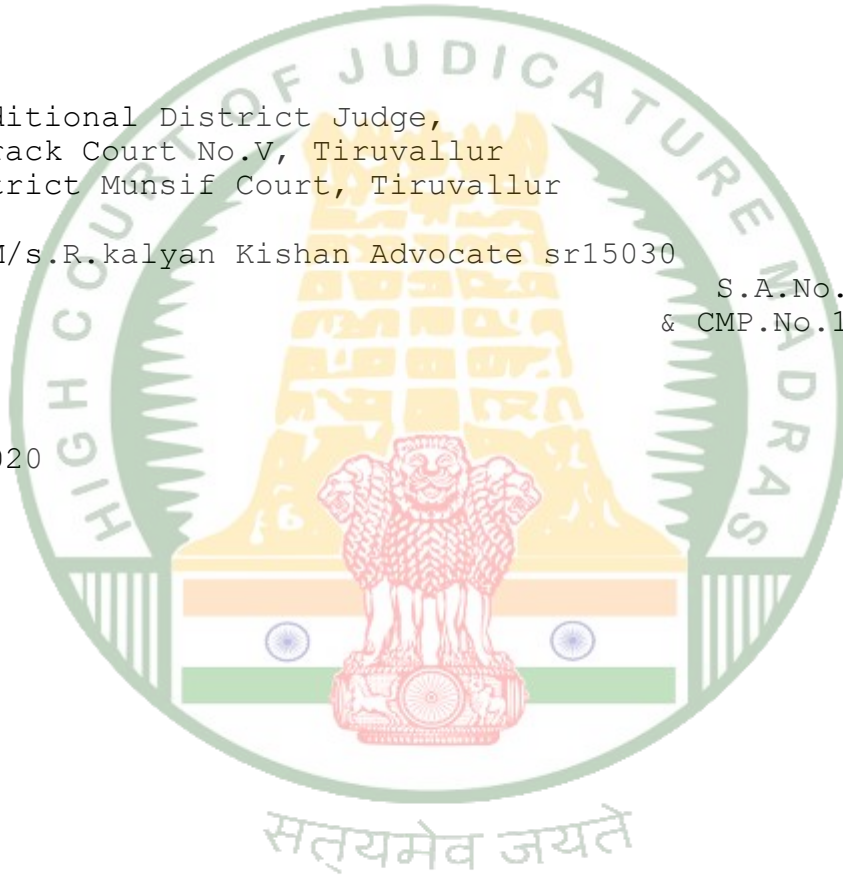
To

- 1.The Additional District Judge,
Fast track Court No.V, Tiruvallur
- 2.The District Munsif Court, Tiruvallur

+1 cc to M/s.R.kalyan Kishan Advocate sr15030

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