

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2020

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Second Appeal No.765 of 2010 and
M.P.No.1 of 2010
(Heard through video conferencing)

Kandasamy
S/o Chidambara Mudaliar
14, Thirumanjana Gopura Street,
Tiruvannamalai Town District. Appellant

Vs

Arulmighu T.P.S. Charities,
Tiruvannamalai represented by
Its executive Officer,
having its office at Kanni Koil Street,
Tiruvannamalai Town. Respondent

Prayer:- This Second Appeal is filed under Section 100 of the Code of Civil Procedure against the judgment and decree made in A.S.No.48 of 2005, dated 28.02.2006 on the file of the Principal Subordinate Judge, Tiruvannamalai confirming the judgment and decree as made in O.S.No.116 of 1997 dated 23.03.2005 on the file of the Additional District Munsif, Tiruvannamalai.

For Appellant :Mr.R.Bharanidharan

For Respondent :Mr.R.Swaminathan

JUDGMENT

The learned counsel for the appellant submits that the whereabouts of the appellant not known. The communication sent by him was returned as "no such person in the address". The learned counsel has also filed a memo to that effect. This indicates that the appellant has vacated the suit property which is the subject matter of the second appeal. Hence, nothing survives in the second appeal.

2.In view of the above position, this Second Appeal is dismissed. The said memo filed by the learned counsel for the

appellant shall form part of the record. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

*The Xerox Copy of Memo
filed by the Counsel for Appellant enclosed

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

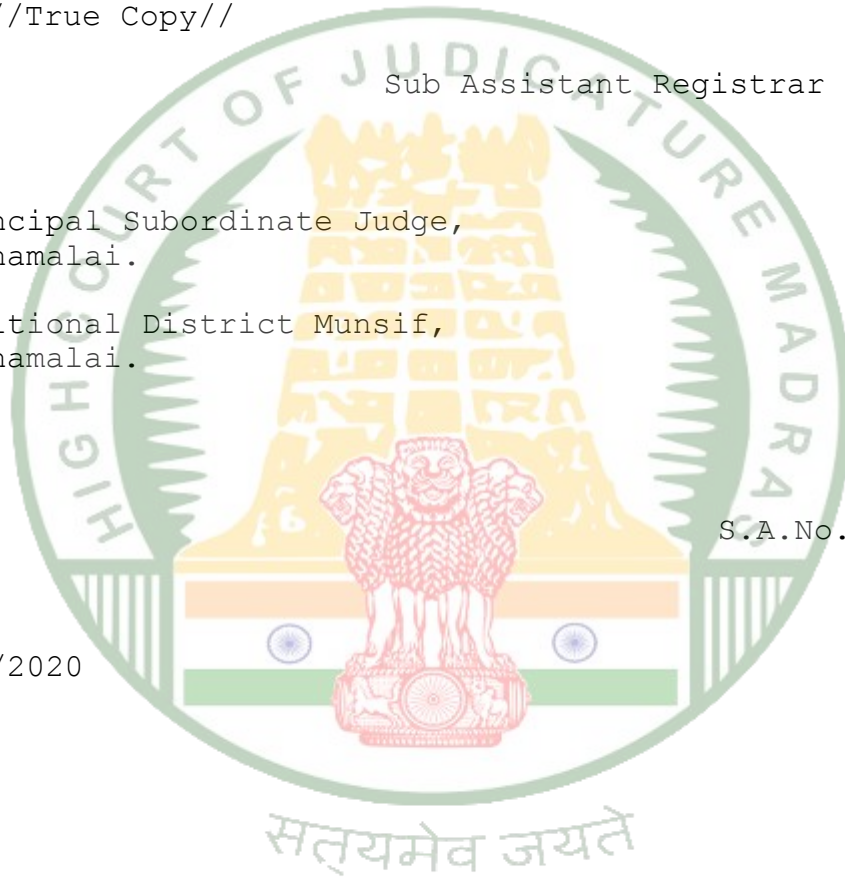
Sub Assistant Registrar

To

- 1.The Principal Subordinate Judge,
Tiruvannamalai.
- 2.The Additional District Munsif,
Tiruvannamalai.

S.A.No.765 of 2010

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srg 24/09/2020



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