

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2020

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Second Appeal No.1098 of 2005 and
C.M.P.No.15028 of 2005
(Heard through video conferencing)

S.Thandavarayan

...

Appellant

Vs

1.A/M Thandoni Amman &
Pidari Chelliamman Temple,
Rep. By its Executive Officer,
Peravallur,
Chennai - 600 082.

2.Arumugha Pandian

....

Respondents

Prayer:- This Second Appeal is filed under Section 100 of the Code of Civil Procedure against the judgment and decree in A.S.No.412 of 2003 passed by the learned III Additional Judge, City Civil Court at Chennai dated 30.06.2004 confirming the judgment and decree in E.A.No.4045 of 2002 in E.P.No.322 of 2002 in O.S.No.11604 of 1988 passed by the learned X Assistant Judge, City Civil Court, Chennai dated 21.10.2003.

For Appellant

:No Appearance

For 1st Respondent

:Mr.R.Manickavel

For 2nd Respondent

:Dismissed (vide Court order
dated 04.09.2006)

JUDGMENT

No representation for the appellant consecutively for the second hearing. The learned counsel for the first respondent states that the appellant died long back and steps not taken to implead his legal representatives. Further, it is also stated by the learned counsel for the first respondent that the possession was taken pursuant to the decree passed even before the second appeal got numbered.

2.In view of the above submissions made by the learned counsel for the first respondent, the Second Appeal is dismissed for default. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS I)

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Sub Assistant Registrar

jbm
To

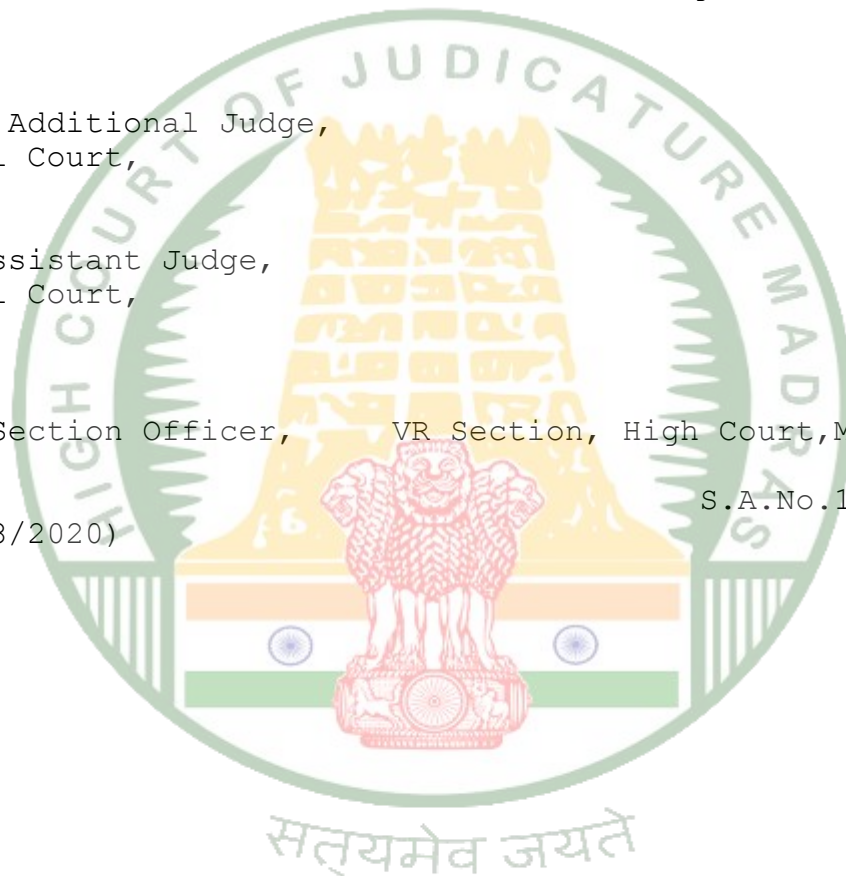
1.The III Additional Judge,
City Civil Court,
Chennai.

2.The X Assistant Judge,
City Civil Court,
Chennai.

Copy to:
The Section Officer, VR Section, High Court, Madras.

A.SK(04/08/2020)

S.A.No.1098 of 2005



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