

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.01.2020

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

SA.No.31 of 2005 and
CMP.No.529 of 2005

Akbar Ali Shanawaz

..Appellant/Defendant

Vs.

Dr.A.K.Zainuddin

..Respondent/Plaintiff

PRAYER: The Second Appeal is filed under Section 100 of CPC against the judgment and decree dated 27.03.2003 in A.S.No.383 of 1993 and cross objection filed therein, on the file of the IV Additional Judge, City Civil Court, Chennai by modifying the judgment and decree dated 30.04.1993 in O.S.No.11821 of 1988 on the file of the VI Assistant Judge, City Civil Court, Chennai.

For Appellant : No Appearance

For Respondent : sole respondent - died

JUDGMENT

The second appeal is directed as against the judgment and decree dated 27.03.2003 in A.S.No.383 of 1993 and cross objection filed therein, on the file of the IV Additional Judge, City Civil Court, Chennai by modifying the judgment and decree dated 30.04.1993 in O.S.No.11821 of 1988 on the file of the VI Assistant Judge, City Civil Court, Chennai.

2. It is seen that the sole respondent died long back. Even then, the appellants did not take any step to implead the legal heirs of the deceased sole respondent, which shows that the appellants have no interest to proceed with the second appeal.

3. Accordingly, the second appeal is dismissed as abated. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

lok

To

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

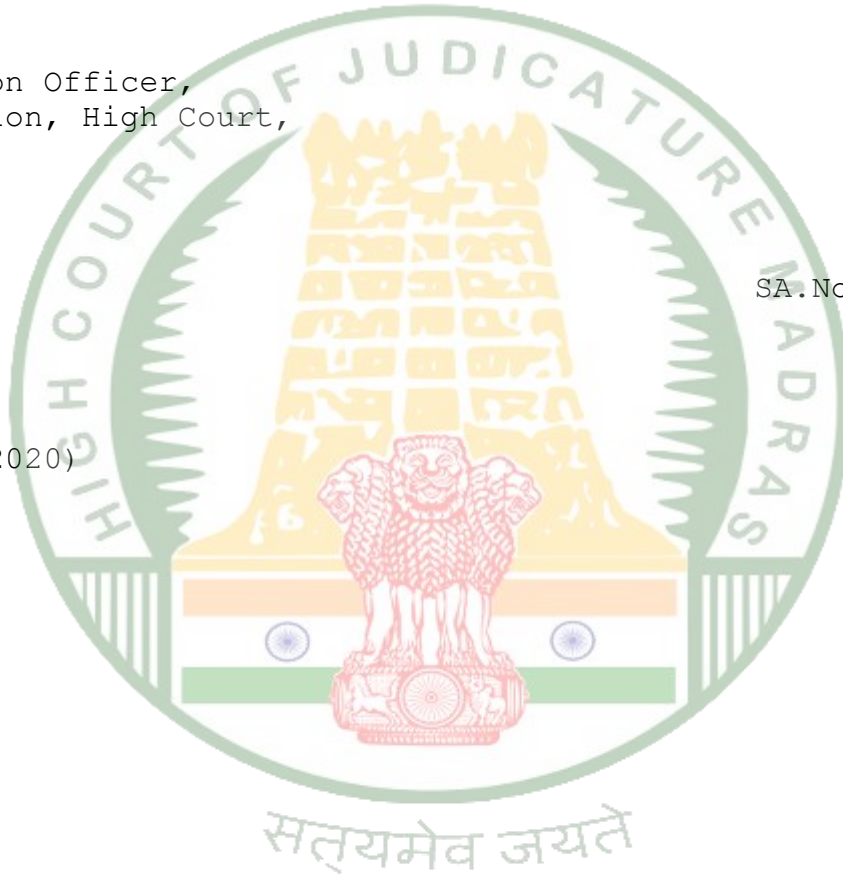
2.The VI Assistant Judge,
City Civil Court, Chennai.

Copy To

The Section Officer,
V.R. Section, High Court,
Madras.

SA.No.31 of 2005

PA (CO)
GN (28/02/2020)



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