

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2021

CORAM

THE HONOURABLE MR. JUSTICE T. RAVINDRAN

S.A.No. 1440 of 2008

and

M.P. No.1 of 2008

G.K. Chenniappan

S/o. Late Krishnasamy Chettiar

... Appellant

Vs.

Sri Balaji Petroleum Company

by its Managing Partner

K.R. Manickam

23B, Nethaji Bypass Road

Dharmapuri Town and District.

... Respondent

Prayer: Second Appeal filed under Section 100 of the Civil Procedure Code against the judgment and decree of the learned Additional District Judge (Fast Track Court No.2), Gobichettipalayam in A.S.No.70/2007 dated 29.02.2008 confirming the judgment and decree of the learned Principal Subordinate Judge, Gobichettipalayam in O.S.No.154/2004 dated 29.12.2006.

For Appellant : Mr. S. Kaithamalai Kumaran

For Respondent : Mr. M. Narayanasamy

JUDGMENT

Both counsel present.

2. It is represented by the counsel for the appellant that the sole appellant had died and no instruction had been received to bring his legal heirs on record and accordingly prays that this appeal may be dismissed as abated and also undertakes to file a memo to that effect.

3. Taking into consideration the abovesaid factors, inasmuch no steps have been taken for bringing the legal heirs of the deceased appellant on record, the second appeal is dismissed as abated. The counsel for the appellant is directed to file a memo as aforesaid in the Registry immediately. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS VI)

/true copy/
Sub Asst. Registrar

bga
To

1. The Additional District Judge (Fast Track Court No.2),
Gobichettipalayam
 2. The Principal Subordinate Judge, Gobichettipalayam
 3. The Section Officer, VR Section, High Court, Madras
- +1 cc to Mr.M.Narayanaswamy Advocate sr964

S.A.No.1440 of 2008

kv (co)
aa10/03/2021

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