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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2021

CORAM

THE HONOURABLE MRS. JUSTICE R. HEMALATHA

S.A.No. 1577 of 2008

and

M.P.Nos.1 of 2008 & 1 of 2015

Santhosam @ Periyathambi

...Appellant/Respondent/
Plaintiff

Vs.

S.Pragalathan

...Respondent/Appellant/
Defendant

Prayer: Second Appeal filed under Section 100 of the Civil Procedure against the decree and judgment dated 11.06.2008 in A.S. No.113 of 2007, on the file of the Principal Sub Court, Erode, reversing the decree and judgment dated 09.08.2007, in O.S. No.570 of 2005, on the file of the I Additional District Munsif Court, Erode.

For Appellant : No appearance

For Respondent : Mr.Kaithamalaikumaran
for Mr.D.Gowthaman

JUDGMENT

Today, when the matter is taken up for hearing, there is no representation for the appellant.

2.The learned counsel appearing for the respondent submitted that the sole appellant died ten years back and till date no steps have been taken to implead the legal heirs of the deceased sole appellant.

3.A perusal of the records also shows that the death of the sole appellant was recorded even as early as on 10.02.2021.

4.In view of the above, the Second Appeal is dismissed as abated. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar



mtl

To

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1. The Principal Sub Judge, Erode.
2. The I Additional District Munsif, Erode.
3. The Section Officer, VR Section, High Court, Madras

S.A.No. 1577 of 2008
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M.P.Nos.1 of 2008 & 1 of 2015

NR(CO)
LS(01/09/2021)