

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.06.2021

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

S.A.No.195 of 2003
and C.M.P.No.1926 of 2003

Velusamy Gounder

...Appellant

vs.

Appukutty

...Respondent

Prayer: Second Appeal filed under Section 100 of C.P.C., against the Judgment and Decree of the Learned Subordinate Judge of Udumalpet dated 11.12.2002 in A.S.No.16/2002 confirming the Judgment and decree of the learned District Munsif of Udumalpet dated 4.4.2002 in O.S.No.420 of 1998.

For Appellant : Mr.V.Nicholas

For Respondent : Sole respondent
- died - steps due

JUDGMENT

This Court by its earlier order dated 17.04.2021 directed the learned counsel for the Appellant to take steps to bring on record the legal representatives of the deceased sole respondent before the next hearing date and also made it clear in the same order that if steps are not taken, the Second Appeal will be automatically dismissed for non-prosecution.

2.Today, learned counsel for the Appellant seeks further time to take steps to bring on record the legal representatives of the deceased sole respondent on the ground that the lower Court counsel who had instructed him has been infected with Corona. Since sufficient opportunity has been granted to the learned counsel for the Appellant as seen from the earlier proceedings to take steps to bring on record the legal representatives of the deceased sole respondent, no further indulgence can be shown by this Court.

3.Hence, in accordance with the order dated 17.04.2021, this Second Appeal is dismissed for non-prosecution. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

pam
To

1.The Subordinate Judge of Udumalpet.

2.The District Munsif of Udumalpet.

S.A.No.195 of 2003

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srg 16/07/2021