

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2021

CORAM

THE HON'BLE Ms. JUSTICE R.N.MANJULA

Second Appeal No.1165 of 2010
MP.No.1 of 2010

C.E.Indira

... Appellant/Defendant

Vs.

M/s.Pappy Chetty Ravaviah
Chetty Charitable Trust
Rep by its Trustees :

1.V.Sudhakar
2.A.S.Hariprasad
3.V.Ram Mohan Gupta
4.Smt.V.Shantha Sridhar
5.G.Bathri Narayana
6.J.V.Perumall
7.V.Govardhan
8.Y.V.Harikrishna
9.Kotta Sudakar

... Respondents/Plaintiff

PRAYER : The Second Appeal filed under Section 100 of C.P.C., against the decree and judgement dated 06.10.2009 in A.S.No.280 of 2008 on the file of the Court of the Additional District Judge II, Fast Track Court, Chennai - 600001, allowing the appeal in part of the judgement and decree passed on 29.06.2007 in O.S.No.6396 of 2001 on the file of the V Assistant City Civil Court at Chennai.

सत्यमेव जयते

For Appellant : Mr.L.J.Krishnamurthy

For Respondents: No appearance

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JUDGEMENT

This Second Appeal is filed against the judgement and decree dated 06.10.2009 made in A.S.No.280 of 2008, allowing the appeal in part of the judgement and decree dated 29.06.2007 made in O.S.No.6396 of 2001.

2. The learned counsel for the appellant would submit that the appellant in this case died on 02.10.2020 and the key of the suit property is in the custody of the learned counsel for the appellant and that, he is ready to handover the key to the landlord/respondent-Trust whenever he approaches the counsel for the appellant. He would further submit that there is no legal representatives for the deceased appellant and the appeal itself has got abated due to efflux of time.

3. With the above observations, the Second Appeal is closed. However, it is left to the learned counsel for the respondent to take steps to get back the key for the suit property from the learned counsel for the appellant. The learned counsel for the appellant has given an oral undertaking that he will handover the key any time the respondent/ landlord approaches him. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS IV)

/true copy/

Sub Asst. Registrar

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To

1.The Additional District Judge
Cum-II Fast Track Court,
Chennai - 600001

2.V Assistant Judge,City Civil Court,
Chennai.

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

सत्यमेव जयते
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S.A.No.1165 of 2010

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