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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

A.S.No.861 of 2014

and

M.P.No.1 of 2014

[Through video conferencing]

Jayanthi

... Appellant/Defendant

-vs-

Sakthivel

... Respondent /Plaintiff

PRAYER: First Appeal is filed under Section 96 r/w Order 43 Rule 1 of the Code of Civil Procedure, to set aside the Judgment and Decree in O.S.No.13 of 2012 dated 23.07.2014 on the file of the Principal District Court, Tiruvarur.

For Appellant : Mr.R.Bharanidharan
for Mr.R.Karthikeyan

For Respondent : Mr.S.P.Meenakshi Sundaram

JUDGMENT

This Appeal has been filed to set aside the Judgment and Decree in O.S.No.13 of 2012 dated 23.07.2014 on the file of the Principal District Court, Tiruvarur.

2. The learned counsel for the appellant has submitted that the sole respondent died two years ago and the appellant is not interested to prosecute the appeal further. In spite of his instruction to the appellant to send a written communication to withdraw the appeal, the appellant has neither sent such communication nor answered his phone calls. Hence, he prays to dismiss the appeal as abated.

3. Recording the submission and memo filed by the learned



counsel for the appellant, this Appeal is dismissed as abated. Consequently, the connected miscellaneous petition is also closed.

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Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

gv/ham

To:

1. The Principal District Judge,
Tiruvarur.
2. The Section Officer,
VR Section,
High Court, Madras.

+1cc to Mr.S.P.Meenakshi Sundaram, Advocate, S.R.No.54726

A.S.No.861 of 2014
and
M.P.No.1 of 2014

RSI(CO)
SU(15/11/2021)