

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2021

C O R A M

THE HON'BLE MR. JUSTICE KRISHNAN RAMASAMY

S.A.No.396 of 2017

Rajarathinam

...Appellant/Defendant

Vs

Marimalliga

...Respondent/Plaintiff

Prayer:Second Appeal filed under Section 100 of the Code of Civil Procedure, prayed to set aside the judgment and decree dated 28.09.2001 made in O.S.No.376 of 1983 on the file of the District Munsif Judge at Gingee confirmed by judgment and decree dated 29.10.2008 made in A.S.No.73 of 2005 on the file of the Sub-Judge Gingee and allow the present appeal.

For Petitioner : No Appearance

For Respondent : M/s.P.Mahalakshmi

JUDGMENT

When the matter was taken up for hearing on 07.01.2021, the learned counsel for the appellant submitted that the appellant passed away and seeks some more time to implead the legal representatives of the appellant. Since the appeal is pending from the year 2017, this Court finally granted time to implead the legal representatives of the deceased appellant with a condition that if in case no petition filed to implead the legal representatives, the second appeal will stands dismissed automatically and the Registry was directed to list the case on 29.01.2021.

2.Accordingly, the matter is listed today (i.e on 29.01.2021). Today, when the matter is taken up for hearing, none appeared on behalf of the appellant. In view of the order

passed by this Court dated 07.01.2021, this Second Appeal stands dismissed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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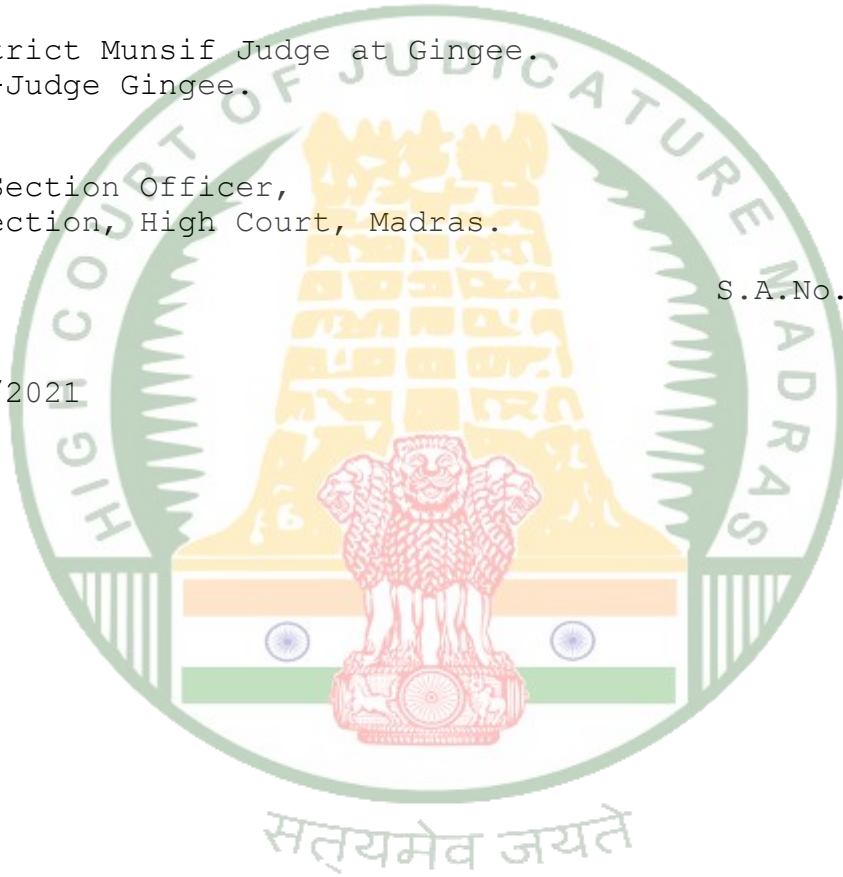
To:

- 1.The District Munsif Judge at Gingee.
- 2.The Sub-Judge Gingee.

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The Section Officer,
VR Section, High Court, Madras.

S.A.No.396 of 2017

LN(CO)
KKV/26/02/2021



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