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S.A.(MD)No.1227 of 2005

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

S.A. (MD)No.1227 of 2005

Annaraj ... Appellant / Respondent / Plaintiff

-vs-

Francis ... Respondent/Appellant/Defendant

PRAYER : Second Appeal filed under Section 100 of C.P.C, against the judgment and decree dated 19.11.2003 made in A.S.No.128 of 1998, on the file of the learned Subordinate Judge, Kuzhithurai, which was filed against the judgment and decree dated 24.08.1998 in O.S.No.391 of 1995 on the file of the learned Principal District Munsif, Kuzhithurai.

For Appellant : Mr.S.Ramesh
For Respondent : Mr.C.Godwin

JUDGMENT

The sole respondent in the Second Appeal had passed away on 3.3.2020. The learned counsel for the respondent has intimated the date of death and furnished the particulars of the legal heirs of the counsel for the appellant on 20.09.2021. Thereafter, the appeal has been posted for several occasions, to enable the appellant to take steps to implead the legal heirs of the sole respondent. So far no steps have been taken. Hence, this Second Appeal is dismissed as abated. No costs.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1. The Subordinate Judge,
Kuzhithurai.
2. The Principal District Munsif,
Kuzhithurai.

Copy to

The Section Officer, V.R. Section,
Madurai Bench of Madras High Court, Madurai. (2 copies)
(directed to return the original
records to the lower Court.)

+1 CC to M/s.V. RAGHAVACHARI, Advocate (SR-35619[F] dated 24/11/2021)

+1 CC to M/s.C. GODWIN, Advocate (SR-35490[F] dated 23/11/2021)

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TR(08.12.2021) 2P 7C