



A.S.(MD)No.75 of 2012

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 13.10.2022

CORAM

THE HON'BLE MRS JUSTICE J. NISHA BANU
AND
THE HON'BLE MR JUSTICE N. ANAND VENKATESH

A.S.(MD)No.75 of 2012

Shaul Hameed

... Appellant/1st Defendant

/Vs./

1.Sri.Kalpataru Investments Private
Limited, Rajapalayam,
Represented by its
Managing Director,
Mrs.S.Balaramraja,
S/o.S.L.Sankar Raja
Door No.18, Vachavari Steet,
Rajapalayam,
Virudhunagar District.

... Respondent/ Plaintiff

2.Mrs.M.Syed Ammal

... Respondent/2nd defendant

PRAYER: Appeal - filed under Section 96 r/w Order 42 Rule 1 of the Code of Civil Procedure, to set aside the decree and judgment dated 08.08.2011 passed in O.S.No.67 of 2004 on the file of Additional District Sessions Court, Tirunelveli cum Fast Track Court No.1, Tirunelveli by allowing this appeal with costs.



A.S.(MD)No.75 of 2012

For Appellant : K.Gugan, for
M/s.V.Muthukamatchi
For R1 : Mr.G.Prabhu Rajadurai
For R2 : No appearance

JUDGMENT

J. NISHA BANU,J.

and

N. ANAND VENKATESH,J.

When the appeal came up for hearing on 22.09.2022, this Court passed the following order:

“The learned counsel appearing on either side sought time.

2.The learned counsel for the first respondent submitted that the earlier communication that was sent to the first respondent was returned with an endorsement left. The learned counsel therefore, sought for some time.

3.Post this appeal on 29.09.2022”.

2.Even when the matter was taken up for hearing today, it is brought to our notice that the plaintiff company is no more in existence and the learned counsel for the appellant had also attempted to ascertain about the existence of the plaintiff company and he is not getting proper instructions.



A.S.(MD)No.75 of 2012

3.In view of the above development, the appeal itself became stale and no useful purpose would be served in keeping the appeal pending.

4.In view of the above, this appeal is closed and if incase any information is received by the appellant about the revival of the company, necessary application shall be filed to restore this appeal. No costs.

(J.N.B.,J.) (N.A.V.,J.)
13.10.2022

Index : Yes/No
Internet : Yes
Ns

To:

1.The Additional District Sessions Court,
Tirunelveli cum Fast Track Court No.1,
Tirunelveli.



WEB COPY



A.S.(MD)No.75 of 2012

J. NISHA BANU,J.

and

N. ANAND VENKATESH,J.

Ns

Judgment made in
A.S.(MD)No.75 of 2012

Dated
13.10.2022