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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.03.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

S.A. (MD) Nos.187 & 188 of 2010

and

M.P. (MD) No.1 of 2010

In S.A. (MD) No.187 of 2010

M.Kader Fathima ... 3rd Defendant / Appellant / Appellant

-Vs-

1.M.Sahul Hameed ... Plaintiff / 1st Respondent / Respondent

2.P.S.Paramasivan Thondaman

3.Muthukutty Thondaman ... Defendants 1 & 2 / Respondents 2 & 3/
Respondents

PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code, against the decree and judgment of the learned Principal Sub Court, Tirunelveli dated 24.06.2009 in A.S.No.43 of 2008 confirming the decree and judgment of the learned Principal District Munsif, Tirunelveli dated 19.06.2008 in O.S.No.533 of 2006.

For Appellant	: Mr.Ananth C.Rajesh
For R1	: Mr.V.Balaji
For R3	: no appearance

In S.A. (MD) No.188 of 2010

M.Kader Fathima Idris ... Plaintiff / Appellant / Appellant

-Vs-

1.M.Sahul Hameed

2.P.S.Paramasivan Thondaman

3.Muthukutty Thondaman ... Defendants / Respondents /
Respondents

PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code, against the decree and judgment of the learned Principal Sub Court, Tirunelveli dated 24.06.2009 in A.S.No.49 of 2008 confirming



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the decree and judgment of the learned Principal District Munsif, Tirunelveli dated 19.06.2008 in O.S.No.551 of 2006.

For Appellant : Mr.Ananth C.Rajesh
For R1 : Mr.V.Balaji
For R3 : no appearance

COMMON JUDGMENT

The first respondent appears to have passed away. The letter sent by the counsel to the first respondent was returned with an endorsement 'deceased'. The legal heir particulars are not available. The appellant is therefore in a quandary. In order to meet the ends of justice, the second appeals are closed with liberty to the appellant to reopen and revive the second appeals as and when the impugned decree is put to execution. No cost. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

- 1.The Principal Sub Judge,
Tirunelveli.
- 2.The Principal District Munsif,
Tirunelveli.

Copy To

The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai. (2COPIES)

Judgment made in
S.A. (MD)Nos.187 & 188 of 2010
and
M.P. (MD)No.1 of 2010
30.03.2022

CK(CO)
GC(11.04.2022) 2P 5C