



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

S.A(MD)No.108 of 2012

in

MP(MD) No.1 of 2012

WEB COPY

Amose

... Appellant/Appellant/Defendant

Vs.

Joseph

... Respondent/Respondent/Plaintiff

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure against the judgment and decree passed in A.S.No.43 of 2007 and cross objection dated 03.02.2010 on the file of the District Judge, Kanyakumari at Nagercoil partly confirming the judgment and decree passed in O.S. No.23 of 2006 dated 02.03.2007 on the file of the Sub Judge, Padmanabhapuram.

For Appellant

: Mr.K.Sreekumaran Nair

For Respondent

: Mr.V.M.Balamohanthampi

JUDGMENT

This Second Appeal is filed against the judgment and decree passed in A.S.No.43 of 2007 and cross objection dated 03.02.2010 on the file of the District Judge, Kanyakumari at Nagercoil partly confirming the judgment and decree passed in O.S. No.23 of 2006 dated 02.03.2007 on the file of the Sub Judge, Padmanabhapuram.

2. On 08.01.2018, it was reported that the sole respondent died on 26.10.2016 itself and intimation has been given to the learned counsel for the appellant. Now it is reported that the sole appellant also died. Till today no steps has been taken to implead the legal heirs of both the appellant and the respondent..

3. In view of the same, the Second Appeal is dismissed as abated. No costs. Consequently connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

aav



To

1.The District Judge,
Kanyakumari at Nagercoil

2.The Sub Judge,
Padmanabhapuram

3.The Record Keeper, V.R. Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

S.A (MD) No.108 of 2012
in
MP (MD) No.1 of 2012
05.01.2022

KK (CO)

GC(19.01.2022) 2P 5C