



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 07.01.2022
CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN
S.A(MD)No.589 of 2011

WEB COPY

Muthuraj ... Appellant/Appellant/Plaintiff

Vs.

1.Veliappa Thevar
2.Madathiammal ... Respondents/Respondents/Defendants

Prayer : Second Appeal filed under Section 100 of the Code of Civil Procedure against the judgment and decree, dated 16.09.2009 passed in A.S.No.98 of 2008, on the file of the Subordinate Court, Sankarankovil, confirming the judgment and decree, dated 17.10.2008 passed in O.S. No.69 of 2005 on the file of the Additional District Munsif Court, Sankarankovil.

For Appellant : Mr.K.Hemakarthikeyan
For Respondents : Mr.N.Shanmugaselvam

JUDGMENT

This Second Appeal is filed against the judgment and decree dated 16.09.2009 passed in A.S.No.98 of 2008, on the file of the Subordinate Court, Sankarankovil, confirming the judgment and decree, dated 17.10.2008 passed in O.S. No.69 of 2005 on the file of the Additional District Munsif Court, Sankarankovil.

2. Today, when the matter is taken up for hearing, the learned counsel for the appellant submits that the sole appellant is no more and the legal heirs of the deceased/appellant is not interested in prosecuting the case.

3. In view of the same, the Second Appeal is dismissed as abated. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

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.

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To

- 1.The Subordinate Judge,
Sankarankovil.
- 2.The Additional District Munsif,
Sankarankovil.
- 3.The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.

**S.A(MD)No.589 of 2011
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MGJ(28.01.2022) 2P 5C