



S.A(MD).No.522 of 2013

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.11.2022

CORAM : JUSTICE N.SESHASAYEE

S.A(MD).No.522 of 2013

M.P(MD).No.1 of 2013

M.Ramasamy

...Appellant/Appellant/Plaintiff

Vs

1.Subburaj

2.S.Rajalakshmi

3.M.Veerapathiran

... Respondents/Respondents/Defendants

Prayer:- Appeal filed under Section 100 of Civil Procedure Code to set aside the judgment and decree passed by the Subordinate Court, Sivakasi in A.S.No.29 of 2010 dated 28.01.2013 confirming the judgment and decree of the District Munsif Court, Sivakasi in O.S.No.41 of 2005 dated 21.07.2010.

For Appellant : Mr.M.Ashok Kumar

For Respondents : Mr.A.Rahul
for R2
R1-Died
No-appearance for R3



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J U D G M E N T

The first respondent is dead few years back. But, no steps have been taken to implead his heirs.

2. The learned counsel appearing for the second respondent submits that as per his instruction which has been verified few times, even the appellant has died few years ago.

3. The learned counsel appearing for the appellant would submit that the mail which he has sent to the appellant has been returned as unserved.

4. This Court now chooses to act on the statement of the learned counsel appearing for the appellant and dismisses this Second Appeal as abated. No costs. Connected miscellaneous petition is closed.

07.11.2022

Internet: Yes
Index: Yes/No

ssb



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N.SESHASAYEE, J.

ssb

To

- 1.The Subordinate Court, Sivakasi
- 2.The District Munsif Court, Sivakasi
- 3.The Section Officer, VR Section,
Madurai Bench of Madras High Court.

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