



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

S.A(MD)No.4 of 2019

and

CMP(MD) No.198 of 2019

A.Andi

... Appellant

-vs-

Jabamalai Pichammal (died)

... Respondent

(Cause title accepted vide Court order dated 19.04.2016 made in CMP (MD) No.4154 of 2016 in SA(MD) SR No.30354 of 2015)

Prayer :- The second Appeal filed under Section 100 of the Code of Civil Procedure, to set aside the decree and judgment dated 25.01.2000 passed by the Sub Court, Tuticorin made in A.S.No.300 of 1997 confirming the judgment and decreetal order made in O.S.No.211 of 1992 dated 16.07.1997 on the file of the District Munsif Court, Srivaikundam.

For Appellant : Mr.Raja Karthikeyan

For Respondent : Mr.D.Venkatesh

JUDGMENT

When the matter was taken up for hearing, the learned counsel for the appellant submitted that the sole appellant had passed away on 13.05.2020. Therefore, this Court adjourned the matter on 21.02.2022 to implead the legal heirs of the deceased sole appellant. On that date, the learned counsel for the appellant sought for further time to take steps and accordingly, the matter was adjourned.

2.Today, when the matter is taken up for hearing, there is no representation on behalf of the appellant and to-date steps have not been taken to bring on record the legal heirs of the deceased sole appellant.



3.In these circumstances, this Second Appeal is dismissed as abated. However, liberty is granted to the legal heirs of the appellant, if they are interest to pursue the appeal. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

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/ /2022

Sub Assistant Registrar(CS)

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.

To

- 1.The Subordinate Judge,
Tuticorin.
- 2.The District Munsif Court,
Srivaikundam.

S.A(MD)No.4 of 2019

Dated: 08.04.2022

RD(22.04.2022) 2P 3C