



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 15.03.2022

CORAM

THE HONOURABLE MRS. JUSTICE R. THARANI

S.A. (MD)No.612 of 2015

Mariarathinam

.. Appellant / Appellant / Defendant

Vs.

1.Lakshmi Pappa

2.Babu

3.Sobhia Banu

(2 & 3 respondents through their

power of attorney the 1st respondent)

.. Respondents/ Respondents /
Plaintiffs

Prayer : This Second Appeal filed under Section 100 of Civil Procedure Code, against the judgment and decree, dated 24.03.2015, made in A.S.No.27 of 2014, passed by the Principal Sub Court, Tirunelveli, confirming the judgment and decree, dated 19.09.2013, made in O.S.No.270 of 2010, passed by the 1st Additional District Munsif Court, Tirunelveli.

For Appellants : Mr.T.Selvan

For Respondent No. 1 : Mr.N.Tamilmani

R2 and R3 : power of attorney

JUDGMENT

This second appeal has been filed against the judgment and decree, dated 24.03.2015, made in A.S.No.27 of 2014, passed by the Principal Sub Court, Tirunelveli, confirming the judgment and decree, dated 19.09.2013, made in O.S.No.270 of 2010, passed by the 1st Additional District Munsif Court, Tirunelveli.

2. The learned counsel for the appellant and the learned counsel for the first respondent are present.

3. This second appeal is pending from the year 2015. The appellant was reported dead on 14.09.2018. Though the matter was listed on 07.01.2020, 27.01.2020, steps for the deceased sole appellant was not taken. The matter was placed before me on 07.02.2022 and on 14.02.2022 "for taking steps for deceased sole appellant". On 24.02.2022, the case was adjourned to 15.03.2022 under the caption "for taking steps for the deceased appellant or



for dismissal". Even today (ie.15.03.2022), the matter was taken in the list, steps for the deceased appellant was not filed.

4. In the above circumstances, there is no use in keeping the Appeal pending any further. Hence, the Second Appeal is dismissed as abated. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Ls

To

1.The Principal Sub Court,
Tirunelveli,

2.The 1st Additional District Munsif Court,
Tirunelveli.

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

+1 CC to M/s.N.TAMILMANI, Advocate (SR-12268[F] dated 15/03/2022)

S.A. (MD)No.612 of 2015

15.03.2022

_SS/25.03.2022 : 2P/6C