



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 11.03.2022

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THE HONOURABLE MRS. JUSTICE R. THARANI

S.A.(MD)No.648 of 2015

WEB COPY

Selvakumar

.. Appellant / Appellant / Plaintiff

Vs.

Kathayee Ammal

.. Respondent / Respondent / Defendant

Prayer : This Second Appeal filed under Section 100 of Civil Procedure Code, against the judgment and decree, dated 27.04.2015, passed in A.S.No.9 of 2014, on the file of the Principal Subordinate Judge, Kumbakonam, confirming the judgment and decree dated 13.12.2013 passed in O.S. No.27 of 2011 on the file of the District Munsif cum Judicial Magistrate, Papanasam.

For Appellant : Mr.S.Deenadhayalan
For Respondent : No appearance

JUDGMENT

This second appeal has been filed against the judgment and decree, dated 27.04.2015, passed in A.S.No.9 of 2014, on the file of the Principal Subordinate Judge, Kumbakonam, confirming the judgment and decree dated 13.12.2013 passed in O.S. No.27 of 2011 on the file of the District Munsif cum Judicial Magistrate, Papanasam.

2. The Second Appeal is of the year 2015 and is pending for the past seven years. On 14.07.2020, when the matter was taken up for hearing, it is stated that the the sole respondent reported dead. Hence, the case was posted on 21.08.2020, 07.02.2022, 15.02.2022 and on 25.02.2022 "for taking steps for the deceased sole respondent". Again, on 25.02.2022, the matter was posted on 11.03.2022, "for taking steps for the deceased sole respondent". Even today (ie.11.03.2022), the appellant counsel has not taken any steps for the deceased sole respondent.

3.Steps for the deceased sole respondent is not taken. Already sufficient opportunities were given to the appellant. Hence, this Second Appeal is dismissed for default. No costs.

Sd/-

Assistant Registrar (CS I)

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Sub Assistant Registrar(CS)

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To

1.The Principal Subordinate Judge,
Kumbakonam.

2.The District Munsif cum Judicial Magistrate,
Papanasam.

3.The V.R. Section,
Madurai Bench of Madras High Court,
Madurai.

S.A. (MD) No. 648 of 2015

11.03.2022

MGJ(30.03.2022) 2P 5C