



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.03.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

S.A(MD).Nos.668 to 671 of 2015

A.G.L.Irudayaraj

...Appellant in all appeals

Vs.

M/s.Bharat Heavy Electricals Limited,
Heavy Pressure Boiler Plant,
Thiruverumbur,
Tiruchirappalli-620 014,
Rep.by its General Manager (Administration)

... Respondent in all appeals

Second Appeals filed under Section 100 of Civil Procedure Code to set aside the decree and judgment dated 27.11.2014 made in A.S.Nos.178, 181, 184 of 2012 and 108 of 2013 on the file of the First Additional Sub-ordinate Judge, Tiruchirappalli confirming the judgment and decree dated 21.03.2012 made in O.S.Nos.977 of 2000, 1563 of 2004, 2050 of 1996, 405 of 2007 on the file of the Principal District Munsif Court, Tiruchirappalli.

Appellant : Died

For Respondent : Mr.K.Prabakaran
(in all Appeals)

C O M M O N O R D E R

The learned counsel appearing for the respondent brought to the notice of this Court that the sole appellant died during the year 2021. However, no steps are taken to implead the legal heirs or to pursue the appeals for the past one year. The appellant was a contractor and the suit was instituted for recovery of money based on the terms and conditions of the contract. Thus, this Court is of the opinion that no purpose would be served in the event of keeping the appeals pending for unspecified time.. However, if the legal heirs are interested in pursuing the matter, they are at liberty to do so by filing appropriate petition in restoring the appeals.



2.With this liberty, the Second Appeals stand dismissed as abated. No costs.

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Sd/-

Assistant Registrar (CS III)

/ /2022

Sub Assistant Registrar(CS)

ssb

To

1.First Additional Sub-ordinate Judge, Tiruchirappalli

2.Principal District Munsif Court, Tiruchirappalli.

+1 CC to M/s.K.PRABHAKAR, Advocate (SR-16176[F] dated 01/04/2022)
S.A(MD).Nos.668 to 671 of 2015

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MGJ(19.04.2022) 2P 4C