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S.A.No.1141 of 2009

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2023

CORAM

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

S.A.No.1141 of 2009

and

M.P.No.1 of 2009

C.Gopal

... Appellant

Vs.

B.K.Mathan

... Respondent

Prayer: Appeal filed under Section 100 of C.P.C., against the Judgment and Decree dated 11.10.2008 passed in A.S.No.10 of 2008 on the file of the Appellate Authority and the District Judge of the Nilgiris at Udhagamandalam thereby reversing the Judgment and Decree dated 13.07.2007 passed in O.S.No.140 of 2005 on the file of the Subordinate Judge of the Nilgiris, Udhagamandalam and prays to set aside the same.

For Appellant : Mr.L.Mouli

For Respondent : Mr.N.Damodaran

JUDGMENT

The learned counsel for the appellant would submit that Mr.N.Damodaran, learned counsel appearing for the respondent had informed that his client B.K.Mathan had expired long ago. Therefore by a letter dated 31.08.2021, he requested the counsel for the appellant to take steps.



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V.LAKSHMINARAYANAN, J.

rgm

2. Mr.L.Mouli, learned counsel appearing for the appellant submits that despite issuance of notice to the party there was no representation and further intimation sent are also returned as unserved. Hence the appeal is dismissed as abated for failure to bring on record the legal heirs of the sole respondent. No costs.

15.03.2023

Index : Yes/No

rgm

To:

- 1.The Appellate Authority and the District Judge of Nilgiris,
Udhagamandalam.
- 2.The Subordinate Judge of Nilgiris,
Udhagamandalam.

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