



S.A.No.305 of 2007

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2023

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

S.A.No.305 of 2007
and M.P.No.2 of 2007

C.Saraswathi

... appellant

-Vs-

1.P.Subramaniam

2.T.A.Jose

... Respondents

Prayer:- Second Appeals filed under Section 100 of the Civil Procedure Code against the judgment and decree dated 19.04.2005 in A.S.No.182 of 2004, passed by the learned Principal District Judge, Coimbatore, modifying the judgment and decree dated 12.01.2004 in O.S.No.573 of 1996, passed by the learned I Additional Subordinate Judge, Coimbatore.

For appellant : Insufficient address

For respondent 1 : Dismissed vide order dated 03.04.2018

For respondent 2 : Mr.C.R.Prasanan

J U D G M E N T

After the death of the learned counsel for the appellant, Registry issued the death memo to the appellant to the address mentioned in the



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appeal memorandum. But, such memo was returned with an endorsement “Insufficient address”. Hence, there is no purpose in keeping this second appeal on file.

2. In the result, this second appeal is **dismissed for default**.

Consequently, connected miscellaneous petition is closed.

3. Further, the learned counsel for the second respondent would invite the attention of this Court that the Cross Objection in Cros.Obj.No.17 of 2020 has been filed in the above second appeal.

4. Therefore, Registry is directed to retain the Trial Court records which is pertaining to the suit in O.S.No.573 of 1996, alongwith the Cross Objection in Cros.Obj.No.17 of 2020 till disposal of the said Cross Objection.

20.12.2023.

Internet : Yes

Index : Yes/No

Speaking order/Non-speaking order
apd



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To

1. The Principal District Judge, Coimbatore.
2. The I Additional Subordinate Judge, Coimbatore.
3. The Section Officer, V.R.Section, High Court, Madras.



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C.KUMARAPPAN,J.

apd

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