



SA.No.269 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17 .11.2023

CORAM

THE HON'BLE Mr.JUSTICE **C.KUMARAPPAN**

S.A.No.269 of 2010

1. M/s United India Insurance Co. Ltd.,
Represented by its Divisional Manager,
No.16, Jawaharlal Nehru Street,
Puducherry.
2. M/s. United India Insurance Co. Ltd.,
Represented by its Regional Manager,
41'42, Greams Road, Madras - 600 006.
3. United India Insurance Co. Ltd.,
Represented by its Chairman-cum-Managing
Director, No.24, Whites Road,
Madras - 600 014.

... Appellants

Vs.

- 1.Vardhan
2. Union of India
Represented by the Chief Secretary
Government of Pondicherry, Puducherry.
3. The Director, Fisheries Department,
Government of Pondicherry, Puducherry

... Respondents



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Prayer: Second Appeal is filed under Section 100 of the Civil Procedure Code to allow the above second appeal will costs through out and thereby setting aside the decree and Judgment passed in A.S.No.134 of 2006 dated 15.12.2008 by the Third Additional District Judge, Pondicherry modifying the Decree and Judgment made in O.S.No.106 of 1994 dated 31.01.1997 on the file of the principal subordinate Judge, Pondicherry, thus dismissing the suit with costs.

For Appellant : Mr.G.Guruswaminathan for
M/s.Nageswaran and Narichania
For Respondent-1 : left
For Respondents 2 and 3 : Mr. Ramaswamy Meyappan
Government Advocate(Pondicherry)

JUDGMENT

When the matter was listed on 07.11.2023, this Court directed the appellant to implead the legal heirs of the deceased/first respondent and adjourned the matter to 17.11.2023.

2. The learned counsel for the appellant would submit that still they are not in a position to get the details of the legal heirs. Therefore, there is no purpose in keeping this appeal pending. It was also submitted that the only contesting party in this second appeal is first respondent and the second and



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third respondents are official respondents. Since, no steps have been taken to implead the legal heirs of the first respondent, this Court is inclined to dismiss the second appeal.

3. In the result, this second appeal is dismissed as abated. No costs.

17.11.2023

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To

1. The Union of India
Represented by the Chief Secretary
Government of Pondicherry, Puducherry.
2. The Director, Fisheries Department,
Government of Pondicherry, Puducherry
3. The Third Additional District Judge, Pondicherry
4. The Principal subordinate Judge, Pondicherry



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