



S.A.No.869 of 2010

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2023

CORAM

THE HONOURABLE MRS. JUSTICE **R. HEMALATHA**

S.A.No. 869 of 2010

Arumuga Naidu

... Appellant

Vs.

1.Manoharan

2.Perumal

... Respondents

Prayer : Second Appeal filed under Section 100 CPC, 1908 against the decree and judgment dated 16.12.2009 passed in A.S. No.111 of 2005, on the file of the Sub Court, Gingee, upholding the decree and judgment dated 31.01.2005 passed in O.S. No.286 of 2003, on the file of the Principal District Munsif Court, Gingee.

For Appellant : Mr.G.Krishnamurthy

For R1 : Mr.P.Srinivas

R2 : Dismissed

JUDGMENT

Today when the matter is taken up for hearing, both the counsels for the appellant and respondents contended that they could not contact their respective clients despite several efforts made by them. On 06.06.2023, the following orders were passed by this Court :



S.A.No.869 of 2010

WEB COPY

"The learned counsel for the appellant seeks time to implead the legal heirs of the deceased / first respondent. He is directed to take steps to implead the legal heirs of the deceased / first respondent on or before 20.06.2023, failing which, the second appeal shall stand automatically dismissed, without further reference to this Court.

Post the matter on 20.06.2023"

2. It is also seen from the records that the present second appeal was dismissed on 12.12.2022 as against the second respondent for non compliance of the requirements of the Registry. Moreover, several adjournments have been granted for the appellant to implead the legal heirs of the deceased first respondent and till date no steps have been taken by the appellant.

3. In view of the above, the Second Appeal is dismissed as abated. No costs.

20.06.2023

Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
mtl



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S.A.No.869 of 2010

R. HEMALATHA, J.

mtl

To

1. The Sub Court, Gingee.
2. The Principal District Munsif Court, Gingee.
3. The Section Officer, VR Section, High Court, Madras.

S.A.No. 869 of 2010

20.06.2023