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S.A.No.1026 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

S.A.No.1026 of 2019

S.Gnanambal

...Appellant

Vs.

R.Govindaraj

...Respondent

PRAYER : Second Appeal filed under Section 100 of the Civil Procedure Code, against the judgment and decree dated 12.06.2019 in A.S.No.22 of 2016 on the file of Principal District Judge, Tiruvannamalai, Tiruvannamalai District confirming the decree and judgment dated 29.02.2016 in O.S.No.3 of 2013 on the file of Principal Sub-ordinate Judge, Sub Court, Tiruvannamalai, Tiruvannamalai District.

For Appellant : Mr.R.Rajarajan

For Respondent : Mr. K.Govi Ganesan



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ORDER

The second appeal came up for hearing along with connected S.A.No.463 of 2017. When connected S.A.No.463 of 2017 was listed before this Court on 17.10.2023, it was represented by both the counsels that S.A.No.1026 of 2019 also to be posted. At their request, both the matters directed to be posted together on 31.10.2023.

2. When both the matters were listed before this Court on 31.10.2023, the learned counsel for the appellant in S.A.No.1026 of 2019 took time to file an application to bring on record the legal representatives of the deceased sole respondent. At his request, the matter was adjourned to 01.12.2023. When the matter was listed on 01.12.2023, again the learned counsel for the appellant took time to file LR petition. Hence, at his request the matter was adjourned to 11.12.2023. Till date, no steps have been taken to bring on record the legal representatives of the deceased sole respondent.

3. It is seen from the records of connected S.A.No.463 of 2017, the respondent in S.A.No.1026 of 2019 was arrayed as appellant in S.A.No.463 of 2017. Already steps have been taken to bring on record the legal



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representatives of deceased sole appellant in S.A.No.463 of 2017 and the same was ordered by this Court on 24.11.2022. In spite of the same, the appellant in S.A.No.1026 of 2019 has not taken any steps to bring on record the legal representatives of the deceased sole respondent. Hence, the second appeal in S.A.No.1026 of 2019 is dismissed as abated. No costs.

11.12.2023

Index : Yes/No
Internet : Yes/No
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S.SOUNTHAR, J.

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