



WEB COPY



S.A.No.45 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.10.2023

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

S.A.No.45 of 2021
and
C.M.P.No.1142 of 2021

Rahamathulla

... Appellant

Vs.

Jakir Hussain

... Respondent

PRAYER: Second Appeal filed under section 100 of the Civil Procedure Code to set aside the judgment and decree dated 29.04.2019 in A.S.No.7 of 2018 on the file of the learned Sub Judge, Panruti, confirming the Judgment and decree dated 27.03.2017 in O.S.No.138 of 2009 on the file of the Principal District Munsif, Panruti and thereby allow the appeal.

For sole appellant : Mr.N.Suresh

For sole respondent : M/s.V.Srimathi

JUDGMENT

When the matter is taken up for hearing today, the learned counsel appearing for the appellant stated that the appellant had



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passed away sometime in the year 2022 and till date, the steps have not been taken to implead the Legal heirs of the sole appellant. The learned counsel for the appellant would also submit that the legal heirs are also not coming forward to contest the suit.

Therefore, this second appeal is dismissed as abated. Consequently, connected C.M.P stands closed. No costs.

16.10.2023

Index : Yes/No
Speaking order/non-speaking order
ssa/apd

To

1. The Principal District Munsif,
Panruti.
- 2.The Sub Judge,
Panruti.
- 3.The Section Officer, V.R.Section, High Court, Madras

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P.T.ASHA, J.,

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