



S.A(MD)No.772 of 2008

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.09.2023

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

S.A(MD)No.772 of 2008

Rajan Durai

... 1st Respondent/1st Defendant

Vs.

1.Selvin

... Appellant/Plaintiff

2.R.Jebamaniammal

3.Manickaraj

...Respondents/Respondents/Defendants

2 & 3

2 & 3

2 & 3

PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code, against the judgment and decree passed in A.S.No.1 of 2007 on the file of the learned Subordinate Judge, Valliyoor dated 01.04.2008 reversing the judgment and decree passed in O.S.No.158 of 2006, on the file of the District Munsif-cum-Judicial Magistrate, Nanguneri dated 29.07.2004.

For Appellant : Mr.M.P.Senthil

For R1 : Mr.Ananth C.Rajesh

For R3 : Mr.P.Jeyapaul



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J U D G M E N T

The learned counsel appearing for the appellant submitted that the sole appellant and the second respondent passed away. Memo has been filed to that effect. Till date no steps have been taken to implead the legal representatives of the deceased person. Once the sole appellant died, if steps have not been taken within 90 days, the appeal will be abated automatically.

2. In this case, till date no steps have been taken and hence, this appeal is dismissed as abated. No costs.

Index : Yes / No

Speaking Order : Yes / No

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04.09.2023



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To

- 1.The Sub-Court,
Valliyoor.
- 2.The District Munsif-cum-Judicial Magistrate,
Nanguneri.
3. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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KRISHNAN RAMASAMY, J.

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