



S.A(MD)No.269 of 2012

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 20.09.2023

CORAM

THE HON'BLE MR.JUSTICE KRISHNAN RAMASAMY

S.A(MD)No.269 of 2012

K.Veerappan

... Appellant

-VS-

V.Kaliamma

... Respondent

PRAYER: Second Appeal filed under Section 100 Code of Civil Procedure against the Judgment and Decree dated 03.08.2010 made in A.S.No.16 of 2010 on the file of the Sub Judge, Devakkottai reversing the Judgment and Decree dated 09.04.2010 made in O.S.No.95 of 2006 on the file of the Additional District Munsif, Karaikudi.

For Appellant

... Mr.J.Anandkumar

For Respondent

... Mr.G.Prabhu Rajadurai



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JUDGMENT

When the matter was taken up for hearing on 28.07.2023, the learned counsel for the appellant submitted that the sole appellant passed away and he sought time to implead the legal heirs of the deceased sole appellant. Hence, the matter was adjourned to 21.08.2023. On that date, the learned counsel for the appellant requested further time to take steps. Hence, the matter was adjourned to 12.09.2023. While granting time on 21.08.2023, this Court observed that if no steps are taken by next hearing, the second appeal will be dismissed as abated on 12.09.2023. Even thereafter, on 12.09.2023, the learned counsel for the appellant sought further time and this Court has also granted time till today. However, when the matter is called today, the learned counsel for the appellant would submit that he is unable to get the details of the legal heirs of the deceased sole appellant.

2. In view of the above fact, this Court feels that keeping this matter pending, no useful purpose will be served. Hence, the Second Appeal is dismissed as abated. No costs.

20.09.2023

NCC : Yes/No
Index : Yes/No
Internet: Yes
skn



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- 1.The Sub Judge, Devakkottai
- 2.The Additional District Munsif, Karaikudi.
- 3.The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.



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KRISHNAN RAMASAMY, J.

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