



S.A.(MD)No.327 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

S.A.(MD)No.327 of 2014

Kumaravel

...Appellant

vs.

Gopi

... Respondent

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure against the Judgment and Decree dated 28.10.2010 in A.S.No. 27 of 2009 on the file of the Sub Court, Padmanabapuram reversing the Judgment and Decree dated 30.01.2009 in O.S.No.145 of 2007 on the file of the Principal District Munsif Court, Padmanabapuram.

For Appellant : Mr.G.Mohan Kumar

For Respondent : Mr.R.Nandakumar



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ORDER

The learned counsel appearing for the respondent has given a letter dated 12.04.2023 to the Registry, stating that the sole appellant died on 01.06.2013 itself and since the legal heirs of the sole appellant, who are the brothers and sisters of the plaintiff have no adverse claim as against the plaintiff, they have not come forward to implead themselves in the Second Appeal. Therefore, the Second Appeal is abated on the death of the sole appellant.

2. In view of the letter dated 12.04.2023 given by the learned counsel for the respondent, the Second Appeal is dismissed as abated.
No costs.

28.04.2023

NCC:Yes/No
Index:Yes/No
Speaking/Non-speaking order

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To

- 1.The Sub Court,
Padmanabapuram.
- 2.The Principal District Munsif Court,
Padmanabapuram.



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P.VELMURUGAN, J.

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