



C.M.P.(MD).No.11599 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.06.2023

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

C.M.P.(MD).No.11599 of 2022

in

S.A.(MD).SR.No.63285 of 2022

N.Sakthi Mohan

...Petitioner/Appellant

Vs.

R.Palaninathan

...Respondent/Respondent

Prayer in C.M.P.(MD).No.11599 of 2022: Civil Miscellaneous Petition is filed under Section 5 of Limitation Act to condone the delay of 7 days in filing the Second Appeal.

Prayer in S.A.(MD).SR.No.63285 of 2022: Second Appeal is filed under Section 100 of CPC to set aside the judgment and decree dated 20.09.2021 passed in A.S.No.81 of 2017 on the file of the Hon'ble Sub Judge, Sivagangai modifying the judgment and decree dated 18.04.2017 passed in O.S.No.72 of 2014 on the file of the learned District Munsif Judge, Sivagangai.

For Petitioner : M/s.S.Selva Aditya



C.M.P.(MD).No.11599 of 2022

ORDER

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This Court in its earlier order dated 09.03.2023 made it clear that if steps are not taken to bring on record the legal representatives of the deceased respondent before the next hearing date, this Second Appeal shall stand automatically dismissed for non-prosecution.

2. Till date, steps are not taken to bring on record the legal representatives of the deceased sole respondent as directed by this Court in its earlier order dated 09.03.2023. Hence, this Civil Miscellaneous Petition, namely, C.M.P.(MD).No.11599 of 2022 stands dismissed as abated. Consequently, S.A.(MD).SR.No.63285 of 2022 is rejected.

06.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Lm



C.M.P.(MD).No.11599 of 2022

To

- 1.The Subordinate Court,
Sivagangai.
- 2.The District Munsif Court,
Sivagangai.
- 3.The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.



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C.M.P.(MD).No.11599 of 2022

ABDUL QUDDHOSE, J.

Lm

**C.M.P.(MD).No.11599 of 2022
in
S.A.(MD).SR.No.63285 of 2022**

06.06.2023