



S.A.No.1990 of 2002

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

S.A.No.1990 of 2002 &
M.P(MD)Nos.1 to 3 of 2009

Chellammal

...Appellant

vs.

Kuppu Thevar

... Respondent

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure against the Judgment and Decree dated 30.08.2000 in A.S.No. 118 of 1998 on the file of the Additional District Sessions Judge cum Chief Judicial Magistrate, Ramanathapuram confirming the Judgment and Decree dated 16.07.1998 in O.S.No.351 of 1994 on the file of the District Munsif Court, Paramakudi.

For Appellant : No appearance

For Respondent : No appearance



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JUDGMENT

M.P(MD)No.1 of 2009 is filed to condone the delay of 388 days in filing an application to set aside the abatement caused due to the death of the sole respondent.

2. Order of this Court dated 16.06.2023 has not been complied with. Affidavit of proof of service of private notice is also not filed. Therefore, M.P(MD)No.1 of 2009 is dismissed.

3. Since M.P(MD)No.1 of 2009 is dismissed, automatically the Second Appeal would not survive and therefore, the Second Appeal is dismissed as abated. No costs. Consequently, the connected Miscellaneous Petitions are dismissed.

10.07.2023

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

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To

- 1.The Additional District Sessions Judge
cum Chief Judicial Magistrate, Ramanathapuram
- 2.The District Munsif, Paramakudi.
- 3.The Section Officer,
Vernacular Records Section,
Madurai Bench of Madras High Court,
Madurai.



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P.VELMURUGAN, J.

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