



S.A.No.263 of 2003

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2023

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

S.A.No.263 of 2003 &
C.M.P.No.2420 of 2003

1.K.K.Kamatchi Chettiar (died)

2.K.Ganapathy

...Appellant

(A2 is brought on record as LR of the deceased sole appellant vide Court order dated 05.08.2020 in C.M.P.(MD)No.10389 of 2019 in C.M.P(MD)No.10677 to 10679 of 2018 in S.A.No.263 of 2003)

vs.

S.J.Premkumar

... Respondent

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure against the Judgment and Decree dated 31.10.2002 in A.S.No. 37 of 2002 on the file of the Additional District Judge (Fast Track Court), Virudhunagar confirming the Judgment and Decree dated 29.10.1999 in O.S.No.276 of 1996 on the file of the District Munsif Court, Virudhunagar.

For Appellant : Mrs.P.Jessi Jeeva Priya

For Respondent : Mr.S.Deenadhayalan



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JUDGMENT

When this matter was taken up for hearing on 07.01.2022, the learned counsel appearing for the appellant submitted that the sole appellant passed away. The appellant counsel had also filed a Memo dated 20.12.2021 stating that the sole appellant, namely, K.Ganapathi died on 20.08.2021.

2. From the Memo filed by the appellant counsel, it is seen that the appellant has died long before. However, till date, no steps have been taken to bring on record the legal representatives of the deceased appellant. In view of the same, the Second Appeal is dismissed as abated. No costs. Consequently, the connected Miscellaneous Petition is closed.

01.08.2023

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

mbi



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To

- 1.The Additional District Judge,
Fast Track Court, Virudhunagar
- 2.The District Munsif,
Virudhunagar
- 3.The Section Officer,
Vernacular Records Section,
Madurai Bench of Madras High Court,
Madurai.



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KRISHNAN RAMASAMY, J.

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