



S.A.No.1289 of 2008

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2024

CORAM:

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

S.A.No.1289 of 2008

N.Chandrasekaran

...Petitioner

Vs

1.S.Babu

2.Nasreen Begum

3.The Assistant Engineer,
Division-51, Corporation of Chennai,
Sembium, Chennai-600 011.

4.The Assistant Engineer,
TNEB Perambur/West,
Sembium, Chennai-600 011.

5.The Assistant Engineer,
Metro Water (MMWSSB),
Sembium,
Chennai-600 011.

...Respondents



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Prayer: Second Appeal is filed under Section 100 of C.P.C., against the Judgment and Decree passed by the VI Additional Judge, City Civil Court, Chennai in A.S.No.80 of 2007 dated 30.01.2008 confirming the Judgment and Decree passed by the XII Assistant Judge, City Civil Court, Chennai in O.S.No.1811 of 2002 dated 31.08.2005.

For Petitioner : Mr.P.V.S.Giridhar & Sai Associates

For Respondents 1 & 2 : Notice sent, service awaited.

For 3rd Respondent : Ms.K.Aswini Devi

For 4th Respondent : Mr.V.Viswanathan

For 5th Respondent : Ms.S.Deepika

ORDER

The learned counsel appearing for the appellant has filed a memo dated 21.11.2024, in which, it is stated that the appellant died on 29.09.2021.

2. The Memo dated 21.11.2024 is taken on record and the same is extracted hereunder:



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Memo filed on behalf of the Appellant

The counsel for the Appellant respectfully submits as follows:

1) It was informed to the Appellant's counsel that the Appellant died on 29.09.2021 and a copy of the death certificate was produced.

2) One of the legal heirs of the deceased Appellant has also provided a letter dated 04.12.2021 that the other legal heirs have not come forward to conduct the case and hence reported "no instructions" to conduct the Second Appeal.

3. A copy of the Death Certificate and the Letter dated 04.12.2021 is enclosed. The same may be brought on record.

Dated at Chennai this the 21st day of November 2024.

3. In view of the Memo dated 21.11.2024, filed by the learned counsel for the appellant, this Second Appeal is dismissed as abated. No costs.

22.11.2024



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Index: Yes/No

ssn

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To

1. The VI Additional Judge,
City Civil Court,
Chennai.
2. The XII Assistant Judge,
City Civil Court,
Chennai.
3. The Assistant Engineer,
Division-51, Corporation of Chennai,
Sembium, Chennai-600 011.
4. The Assistant Engineer,
TNEB Perambur/West,
Sembium, Chennai-600 011.
5. The Assistant Engineer,
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J.SATHYA NARAYANA PRASAD, J.,

ssn

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