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S.A.No.59/2007

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 26-02-2024

CORAM

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

SECOND APPEAL No.54 of 2009

Elakuvan ... Appellant

-VS-

Vetri Azhagan ... Respondent

Appeal against the judgment and decree, dated 30.10.2008, passed in A.S.No.59 of 2007 on the file of Subordinate Court, Nagapattinam, confirming the judgment and decree, dated 13.08.2007, in O.S.No.444 of 2000, on the file of District Munsif Court, Nagapattinam.

For Appellant : Mr.M.Sudhakar

For Respondent : Died

JUDGMENT

Sole appellant in this appeal died as early as in the year 2018. However, when the matter was listed on 09.02.2024, to provide one more opportunity to the appellant to take necessary steps, the matter was adjourned to 26.02.2024 i.e., today. Even today, when the matter is taken up for hearing, learned counsel for the appellant



submits that he has no instructions from the appellant. From this, it is evident that the appellant is not interested in prosecuting the appeal. Under the circumstances, no purpose is served in keeping the appeal pending.

2. Therefore, this Second Appeal is dismissed, as abated. No costs. Consequently, the connected M.P.Nos.1 of 2009 and 1 of 2010 are closed.

26-02-2024

dixit

To

1.Subordinate Court,
Nagapattinam.

2.District Munsif,
Nagapattinam.

3.V.R.Section,
High Court,
Madras.



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G.ARUL MURUGAN, J.

dixit

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