



S.A.No.390 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2024

CORAM

THE HONOURABLE Mr. JUSTICE **G.ARUL MURUGAN**

S.A.No.390 of 2010

and

M.P.No.1 of 2010

P.S.Dhanapal

... Appellant

vs.

Arokia Mary alias Arokia Sagaya Mary

...Respondent

Prayer:- Second Appeal filed under Section 100 of the Civil Procedure Code against the judgment and decree dated 07.01.2010 in A.S.No.40 of 2009 passed by the learned Sub Judge, Mannarkudi, confirming the judgment and decree dated 22.06.2009 in O.S.No.285 of 2006 passed by the learned Principal District Munsif, Valangaiman.

For appellant : Mr.R.Rajarajan
For respondent : Mr.K.Krishnan
for Mr.T.R.Rajarajan

J U D G M E N T

The learned counsel for the appellant submits that the sole respondent in this Second Appeal died long back and even when the



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matter was listed on 21.07.2023, this Court granted time to substitute the legal heirs of the deceased sole respondent. Even though the matter has been, thereafter, posted on 03.08.2023, 23.08.2023, 15.09.2023 and today, no steps have been taken to substitute the legal heirs.

2. The learned counsel for the appellant submits that in spite of sending intimation to the appellant, they have not reported to take necessary steps. Hence, there is no purpose in keeping this Second Appeal pending.

3. In view of the above, this Second Appeal is dismissed as abated. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

26.03.2024.

Internet : Yes
Index : Yes/No
Speaking order/Non-speaking order
apd

To



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1. The Sub Judge, Mannarkudi.
2. The Principal District Munsif, Valangaiman.
3. The Section Officer, V.R.Section, High Court, Madras.



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