



*S.A.No.1629 of 2011*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.07.2024

CORAM:

**THE HONOURABLE MR.JUSTICE V.SIVAGNANAM**

**S.A.No.1629 of 2011**

**and**

**M.P.Nos.1 of 2011 & 1 of 2012**

M. Ramesh ... Appellant

Vs.

1. J. Kaliayaperumal

2. V.Shanmugham ... Respondents

**PRAYER:** Second Appeal filed under Section 100 of C.P.C. against the judgment and decree of the learned Principal District Judge, Cuddalore dated 29.07.2011 passed in A.S.No.33 of 2009 allowing the appeal setting aside the judgment and decree of the learned II Additional Subordinate Judge of Cuddalore in O.S.No.95 of 2007 dated 30.04.2009.

For Appellant : Mrs.Aswini Devi

For Respondents : Mrs. R. Meenal  
for R1



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## **J U D G M E N T**

Second Appeal has been filed against the judgment and decree passed in A.S.No.33 of 2009, dated 29.07.2011 on the file of the Principal District Court, Cuddalore, setting aside the judgment and decree passed in O.S. No.95 of 2007, dated 30.04.2009, on the file of the II Additional Subordinate Court, Cuddalore.

2. When the matter is taken up for hearing, the learned counsel appearing for the first respondent submitted that the first respondent died on 20.03.2018.

3. Already, this Court , by an order dated 14.12.2022 dismissed the Second Appeal as against the second respondent.

4. So far the first respondent is concerned, no steps have been taken to bring the legal representatives of the first respondent in the Second Appeal within the time. Hence, the Second Appeal is dismissed



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as abated as against the first respondent. No costs. Consequently, connected miscellaneous petitions, if any, are also closed.

**30.07.2024**

mrp

Internet: Yes

Index: Yes/No

Speaking/Non speaking order

NCC: Yes/No

To

1. The Principal District Judge, Cuddalore
2. The II Additional Subordinate Judge of Cuddalore



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**V.SIVAGNANAM, J.**

mrp

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