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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2024

CORAM

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

S.A.No.587 of 2012

and

M.P.No.1 of 2012

Periasamy

... Appellant

Vs.

Kannan (Died)

1. Amutha

2. Azhagu Durai

3. Maragatham

... Respondents

Prayer: This Second Appeal filed under Section 100 of CPC against the judgment and decree of the Subordinate Judge, Perambalur, dated 26.09.2011 made in A.S.No.22 of 2009 confirming the Judgment and Decree dated 28.07.2006 made in O.S.No.114 of 1998 on the file of the District Munsif Perambalur.

For Appellant : No appearance

For Respondent Nos.1 & 3 : No appearance

For Respondent No.2 : Died

JUDGMENT



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When the appeal was taken up for hearing on 07.02.2024, the learned counsel for the appellant reported that sole appellant died. However, she sought time to verify and report. Again when the matter was listed on 21.02.2024, the learned counsel for the appellant submitted that as per instructions from lower court counsel, the sole appellant had died but however requested time to verify the fact with the parties.

2. Today, when the appeal is listed for hearing, there is no representation on the side of the appellant. Even as per instructions given by the counsel before the Lower Court, the sole appellant died but no steps have been taken.

3. Hence, the Second Appeal is dismissed as abated. Consequently connected Miscellaneous Petition is closed. No costs.

05.03.2024

Index : Yes/No
Internet : Yes/ No
Speaking Order/Non Speaking order
Neutral case : Yes/No
adl

To
1. The Subordinate Judge, Perambalur.
2. The District Munsif Court, Perambalur.

G.ARUL MURUGAN, J.



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