



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2024

CORAM:

THE HON'BLE MR. JUSTICE V.LAKSHMINARAYANAN

S.A.No.957 of 2013
and M.P.No.1 of 2013

G.K.Rajendran

.. Appellant

vs.

1.K.Deenadayalan

2.Arulmighu Mayuranatharswamy Thirukoil,
Mayiladuthurai,
Rep by its Hereditary Trustee,
Thiruvadhuthurai, Mayiladuthurai Taluk,
Nagapattinam District.

.. Defendants

Prayer: Second Appeal filed under Section 100 of the Civil Procedure Code against the judgment and decree passed in A.S.No.21 of 2012 dated 02.04.2013 on the file of the Court of Principal Sub Ordinate Judge, Mayiladuthurai, reversing the judgment and decree passed in O.S.No.6 of 2010 dated 29.07.2011 on the file of the Court of Additional District Munsif, Mayiladuthurai.

For Appellant	: Ms.M.Niranjana for M/s.A.Muthukumar
For Defendants	: Mr.B.Jawahar

JUDGMENT

Ms.M.Niranjana representing Mr.A.Muthukumar, learned counsel for the appellant states that the contesting respondent / first respondent had



passed away and her clients have not given any instructions to bring on record the legal heirs of the deceased / first respondent. According to her, the appeal is abated and steps have not been taken and consequently, the appeal may be closed by recording the same.

2. Steps have not been taken to bring the legal heirs of the deceased/first respondent. I have no other option except to record the abatement. Liberty is granted to the appellant to restore the appeal along with requisite application. The Second Appeal stands dismissed as abated. No costs. Consequently, connected miscellaneous petition is dismissed.

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Index : Yes / No
Internet : Yes / No
Jvm



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V.LAKSHMINARAYANAN. J

Jvm

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