



S.A.(MD)No.519 of 2009

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.04.2024

CORAM

THE HONOURABLE MR.JUSTICE **S.SOUNTHAR**

S.A.(MD)No.519 of 2009

and

M.P.(MD)No.2 of 2009

Palanisamy Goundar

...Appellant

-Vs-

Adaikkala Goundar

... Respondent

PRAYER: Second Appeal is filed under Section 100 of the Code of Civil Procedure, to set aside the judgment and decree passed in A.S.No.136 of 2007 , dated 10.07.2008 the file of the Subordinate Court, Pudukottai reversing the judgment and decree passed in O.S.No.277 of 1995, dated 01.08.2007 of on the file of the District Munsif cum Judicial Magistrate, Keeranur.

For Appellant :No Appearance

For Respondent :No Appearance



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JUDGMENT

It is seen from the records that the death of the sole respondent was reported as early as on 12.01.2023. On that day, there was no representation for the appellant. Therefore, the matter was adjourned by recording the death of the sole respondent.

2. Thereafter, the matter was listed 16.12.2023 and 27.01.2023 and on those dates, at request of the learned Counsel for the appellant, the matter was adjourned to 08.02.2023.

3. Thereafter, the matter was listed on 20.02.2023 and at request of the learned Counsel for the appellant, again the matter was adjourned to 07.03.2023. Thereafter, the matter is listed today for hearing. There is representation for the appellant in the first call as well as in the second call. Till date, no steps have been taken to bring on record the legal representatives of the deceased sold respondent.



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4.Hence, the Second Appeal is dismissed as abated. No costs.

Consequently, connected Miscellaneous Petition is closed.

30.04.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

cmr

To

- 1.The Subordinate Judge, Pudukottai.
- 2.The District Munsif cum Judicial Magistrate, Keeranur.
- 3.The Record Keeper,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.



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S.SOUNTHAR, J.

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