



SA(MD).No.526 of 2009

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 09.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

SA(MD).No.526 of 2009 and
MP(MD).Nos. 1 and 2 of 2009

Mariammal

: Appellant

-VS-

1.Kalifullah (died)
2.Kolusumeevi
3.Abdul kasim
4.Beer Mohammed
5.Mahariba Begam
6.Rasheeya Begaum
7.Rojabegaum
8.Haseena Begum

: Respondents

(respondents 2 to 8 are brought on record as Lrs of the deceased sole respondent vide Court, order, dated 21.08.2020 made in MP(MD).no.1 of 2010 in SA(MD).No.526 of 2009)

PRAYER: The Second Appeal is filed under Section 100 C.P.C against the Judgment and decree passed in A.S.No.47 of 2007 on the file of the learned Subordinate Judge, Pudukkottai, dated 30.10.2007 confirming the Judgment and decree passed in O.S.No.30 of 2005 on the file of the Principal District Munsif Court, Pudukkottai, dated 12.06.2006.



SA(MD).No.526 of 2009

WEB COPY

For Appellant : Mr.M.P.Senthil

For respondents 2 and 4 : Mr.V.K.Srinivasan

JUDGMENT

It was brought to the notice of this Court on 27.02.2023 about the death of the sole appellant and the same was adjourned to bring on record LRs of the deceased sole appellant on record. However, no steps have been taken as on date. Today, when the matter is taken up for consideration, it is represented by the learned counsel for the appellant that in spite of his best efforts he could not contact the LRs of the deceased sole appellant and hence, he is not able to take appropriate steps.

2. In view of death of the sole appellant the appeal has already abated and accordingly, the Second Appeal is dismissed as abated. However, it is left open to the LRs if any of the appellant to file appropriate application seeking restoration of the Second Appeal if they are so advised. No costs. Consequently, the connected Miscellaneous Petitions are closed.

09.02.2024

Internet : Yes / No

Index : Yes / No

trp



SA(MD).No.526 of 2009

WEB COPY

To

1. Subordinate Judge, Pudukkottai.
2. The Principal District Munsif Court, Pudukkottai,



WEB COPY



SA(MD).No.526 of 2009

MUMMINENI SUDHEER KUMAR. J.

trp

SA(MD).No.526 of 2009 and
MP(MD).Nos. 1 and 2 of 2009

09.02.2024