



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.11.2024

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

S.A(MD)No.323 of 2012

Saraswathi

...Appellant

Vs.

1. Ganesan

2. Pushparathi

...Respondents

PRAYER: Second Appeal is filed under Section 100 of the Civil Procedure Code, to allow this Second Appeal with costs, set aside the Judgment and Decree, dated 13.01.2004 and made in A.S.No.65 of 2003 on the file of the Principal Sub Court, Tirunelveli, reversing the Judgment and Decree dated 21.07.2003 made in O.S.No.656 of 1996 on the file of the Principal District Munsif Court, Valliyur and to dismiss the suit with Costs.

For Appellant :Mr.V. George Raja

For Respondents :Mr.V. Sivathilakar, for R-1 & R-2

JUDGMENT

The Learned Counsel appearing for the sole Appellant submitted that they had issued notice to the appellant, however the same was returned as 'the appellant died'. He further submitted that he could not ascertain the



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Legalheirs of the sole appellant. To this effect a memo, dated 27.11.2024

has filed.

2. Recording the aforesaid memo, this Second Appeal is dismissed as abated. No Costs.

Index :Yes/No

27.11.2024

Internet:Yes/No

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1. The Principal Sub Court, Tirunelveli.
2. The Principal District Munsif Court, Valliyur.
3. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY, J

KSA

**Judgment made in
S.A(MD)No.323 of 2012**

27.11.2024