



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.04.2024**

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

S.A(MD)NO.214 OF 2006

Muthiah Thevar :Appellant/Ist Respondent-Cross
Objector/First Defendant

.VS.

1.Annathai

2.Jothi :Respondents 1 and 2/Appellants 1
and 2/Plaintiffs 1 and 2

3.Marimuthu

4.Pukazhum Perumal Rajan

5.Janaki

6.Selvam

7.Sammugathai :Respondents 3 to 7/Respondents
2 to 6/Defendants 2 to 6.

PRAYER: Second Appeal filed under Section 100 of Civil Procedure Code against the judgment and decree made in A.S.No.68 of 2003, dated 29.10.2004, on the file of Sub-Court, Sankarankoil reversing the judgment and decree made in O.S.No.195 of 1997, dated 07.11.2002, on the file of Additional District Munsif Court, Sankarankoil.

For Appellant :No appearance

For Respondents :No appearance
1 to 7

**JUDGMENT**

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It is seen from the records that when the Second Appeal was taken up for hearing on 29.01.2024, it was informed by the learned counsel for the appellant that the sole appellant died, a year ago. Recording the said statement, this Court directed the Registry to list the matter finally on 15.02.2024, with an observation that if no steps were taken, this Court would be constrained to dismiss the Second Appeal as abated.

2.In view of the fact that the sole appellant died, a year ago, the Second Appeal is dismissed as abated. No costs.

17.04.2024

Index:Yes/No
Internet:Yes/No
NCC:Yes/No
vsn

To

- 1.The Sub-Judge,
Sankarankoil.
- 2.The Additional District Munsif,
Sankarankoil.
- 3.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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S.SOUNTHAR, J.

vsn

JUDGMENT MADE IN
S.A(MD)NO.214 OF 2006

17.04.2024