



S.A(MD)No.359 of 2006

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **06.08.2024**

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

S.A(MD)No.359 of 2006

E.K.Mohammed Ali ... Appellant/Appellant/Plaintiff

Vs.

1.Sulthan Batcha
2.Selvakumar ... Respondents/Respondents/Defendants

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure against the judgment and decree dated 29.11.2004 passed in A.S.No.52 of 2004 on the file of the Additional Subordinate Court, Kumbakonam, confirming the judgment and decree dated 30.10.2003, passed in O.S.No.126 of 1999 on the file of the District Munsif cum Judicial Magistrate, Papanasam.

For Appellant : Mr.V.Chandrasekar

For Respondents : Mr.K.Govindarajan



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JUDGMENT

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When the matter came up for hearing on 03.01.2017, the learned counsel appearing for the appellant stated that the sole appellant died and sought time for taking steps to implead the legal heirs of the deceased sole appellant.

2. The Second Appeal is of the year 2006 and the same was admitted on 25.04.2006. It is also stated that the sole appellant died on 11.04.2008. It appears that the legal heirs of the deceased sole appellant are not interested in prosecuting the matter further. Therefore, this Court is of the view that no useful purpose would be served in keeping the matter pending.

3. In view of the above, this second appeal is dismissed as abated. No costs.

06.08.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
ps



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To

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



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V.BHAVANI SUBBAROYAN, J.

ps

Judgment made in
S.A(MD)No.359 of 2006

06.08.2024