



A.S.(MD).No.188 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 02.09.2024

CORAM

**THE HONOURABLE MR.JUSTICE P.VELMURUGAN
AND
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

A.S.(MD).No.188 of 2016

Pitchaikannu

...Appellant

Vs.

Ellumalai

...Respondent

PRAYER:- First Appeal filed under Order 41 Rule 1 r/w Section 96 of C.P.C., to set aside the Judgment and Decree dated 18.08.2016 made in O.S.No.10 of 2013 on the file of the Additional District Court, Pudukottai.

For Appellant : No Appearance

For Respondent : Mr.J.Anandkumar



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J U D G M E N T

[Order of the Court was made by **P.VELMURUGAN, J.**]

This First Appeal has been filed as against the judgment and Decree dated 18.08.2016 made in O.S.No.10 of 2013 on the file of the Additional District Court, Pudukottai.

2. C.M.P.(MD).No.7895 of 2018 has been filed to bring the legal heirs of the sole appellant on record. It is seen from the records that the appellant passed away on 22.06.2018 after this case was instituted. However, even after providing sufficient opportunity to the appellant, no steps have been taken to implead the legal heirs of the sole appellant. Therefore, the application filed to implead the legal representatives of the sole appellant in C.M.P.(MD).No.7895 of 2018 was dismissed by order, dated 02.09.2024.



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3.In view of the order passed in C.M.P.(MD).No.7895 of 2018, this

First Appeal stands dismissed as abated. There shall no order as to costs.

[P.V.J.] [K.K.R.K.J.]

02.09.2024

NCC : Yes/No

Index : Yes/No

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To

1.The Additional District Court, Pudukottai.

2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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and
K.K.RAMAKRISHNAN.J.,

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