



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.07.2024

CORAM

THE HON'BLE MR JUSTICE A.A.NAKKIRAN

S.A.(MD)No.707 of 2014

and

MP(MD)No.1 of 2014

Narayanasamy

... Appellant /Appellant /1st Defendant

-Vs-

1.Krishnamoorthy

... 1st Respondent/1st Respondent/Plaintiff

2.Seethalakshmi

... 2nd Respondent / 2nd Respondent /
2nd Defendant

Prayer: Second Appeal is filed under Section 100 of the code of Civil Procedure Code, to call for the records and set aside the judgment and decree passed in A.S.No.1 of 2013 on the file of the Sub Court, Vedasanthur dated 10.07.2014 confirming the judgment and decree passed in O.S.No.203 of 2002, dated 19.08.2009 on the file of the District Munsif Court cum Judicial Magistrate Court, Vedasanthur with costs throughout and allow the Second Appeal.

For Appellant

: Mr.H.Lakshmi Shankar

For Respondents

: Mr.S.Algarsamy

**JUDGMENT**

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This appeal has been filed against the judgment and decree passed in A.S.No.1 of 2013 on the file of the Sub Court, Vedasanthur, dated 10.07.2014 confirming the judgment and decree in O.S.No.203 of 2002, on the file of the District Munsif Court cum Judicial Magistrate Court, Vedasanthur, dated 19.08.2009.

2.When the matter is taken up for hearing, the learned counsel for the appellant submitted that during the pendency of this appeal, the sole appellant namely, Narayanasamy died on 14.08.2020 and as such, there is no purpose in proceeding with the appeal. He has also filed a memo to that effect.

3.Recording the said submission and memo, the Second Appeal is dismissed as abated. No costs. Consequently, the connected miscellaneous petition is closed.

16.07.2024

NCC : Yes / No
Index :yes/No
Internet:yes/No
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To:

- 1.The Sub Court,
Vedasanthur.
2. The District Munsif Court cum Judicial Magistrate Court,
Vedasanthur.
- 3.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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A.A.NAKKIRAN, J.

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