



S.A.No.1422 of 2004

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.02.2024

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

S.A.No.1422 of 2004

Janakiraman

... Appellant/Appellant/
Plaintiff

Vs.

1.Rengammal

2.Paneerselvam

... Respondents/Respondents/
Defendants

Prayer: Appeal filed under Section 100 of Civil Procedure Code to set aside the judgment and decree dated 28.11.2003 made in A.S.No.51 of 2003 on the file of the Principal District Court, Pudukkottai, confirming the judgment and decree dated 19.11.1998 made in O.S.No.425 of 1996 on the file of the Additional District Munsif Court, Pudukkottai.

For Appellant : Mr.G.Sridharan

For Respondents : Mr.S.Deenadhayalan



S.A.No.1422 of 2004

WEB COPY

JUDGMENT

This second appeal is filed by the sole appellant against the concurrent findings recorded by the learned trial Court and the learned lower appellate Court.

2. It was 17.11.2023, this Court has taken note of the death of the sole appellant and granted time for taking appropriate steps.

3. Today, learned counsel for the appellant represented that in spite of his best efforts, he could not get in touch with the legal representatives of the deceased sole appellant and expressed his inability to take appropriate steps.

4. In view of the death of the sole appellant and failure to bring on record the LRs of deceased sole appellant, the appeal already abated.



S.A.No.1422 of 2004

WEB COPY

5. Accordingly, this Second Appeal is dismissed as abated, leaving it open to the LRs of the deceased sole appellant to file appropriate application, if they are so advised. However, there shall be no order as to costs.

07.02.2024

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

ABR

To

- 1.The Principal District Judge,
Pudukkottai.
- 2.The Additional District Munsif,
Pudukkottai.



WEB COPY



S.A.No.1422 of 2004

MUMMINENI SUDHEER KUMAR, J.

ABR

S.A.No.1422 of 2004

07.02.2024