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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-11-2025

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

S.A.No.1266 of 2014

and

M.P.No.1 of 2014

Nemichand

...

Appellant

Vs.

Arulmighu Katchaleeswarar Thirukoil

Rep By Its Executive Officer,

Having Its Office At Temple Premises,

77, Armenian Street, Chennai-1.

... Respondent

PRAYER:

This Second Appeal is filed under Section 100 of C.P.C., against the judgment and decree passed in A.S.No.346 of 2009 dated 12.09.2014 on the file of the I Additional City Civil Court, Chennai, reversing the judgment and decree passed in O.S.No.80 of 2005 dated 04.11.2008 on the file of the XV Assistant City Civil Court, Chennai.

For Appellant :Mr.G.Veerapathiran

For Respondent : Mr.S.D.Ramalingam



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JUDGMENT

When the matter was taken up for hearing on 20.11.2025, the learned counsel for the appellant reported that the sole appellant died and sought time to file a memo to that effect. At his request, the matter was posted today ie., on 24.11.2025.

2. The learned counsel for the appellant filed a memo stating that the sole appellant died in the year 2023 and he is unable to trace out the legal representatives of the deceased sole appellant. Hence, he prayed that the above second appeal may be dismissed as abated.

3. In view of the same, this Second Appeal is dismissed as abated by efflux of time. No costs. Consequently, connected miscellaneous petition is closed.

24.11.2025

mfa

Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation: Yes / No



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To

1. The I Additional City Civil Judge,
I Additional City Civil Court, Chennai.
2. The XV Assistant City Civil Judge,
XV Assistant City Civil Court, Chennai.
3. The Section Officer,
VR Section,
High Court, Chennai.



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DR. A.D. MARIA CLETE, J

mfa

**S.A.No.1266 of 2014
and
M.P.No.1 of 2014**

24.11.2025