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CMP NO. 15720 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **28-01-2025**

CORAM

THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

CMP NO. 15720 of 2021

in S.A.No.817 of 2024

Ramasamy,
S/o.Periannan, Annamalaipatti, Kombaikadu,
No.3, Komarapalayam, Mallur (via) Rasipuram
Tk., Namakkal Dt.

Appellant(s)

Vs

Chandran,
S/o.Perumal Gounder, Annamalaipatti,
Kombaikadu, No.3 Komarapalayam, Mallur (via)
Rasipuram Taluk, Namakkal Dt.

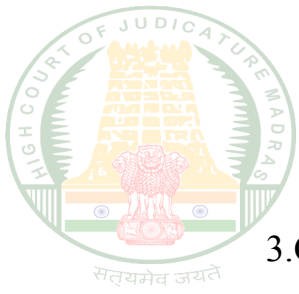
Respondent(s)

For Appellant(s) : Mr.I.Abrar Mohamed Abdullah
For Respondent(s): M/s. M. Guruprasad

ORDER

When this matter is taken up for hearing, the learned counsel for the respondent submitted that the respondent died and already Execution Petition was also terminated.

2.The learned counsel for the petitioner submitted that the respondent filed O.S.N.220 of 1997 for the relief of Specific Performance based on the Sale Agreement dated 15.02.1980.



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3.Considering the fact that the suit is of the year 1997 and dismissed for default in 2021 for the repeated adjournments by the appellant and at that time, the Court proceedings were conducted through Video Conference Mode, the learned counsel for the petitioner is not able to get appropriate instructions from the appellant and this Court is inclined to allow this petition.

4.Accordingly, this petition is ordered and the Second Appeal is restored to file.

Post on 11.03.2025.

28.01.2025

mps



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Copy to:

- 1.The District Judge, Namakkal.
- 2.The District Munsif, Rasipuram.



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T.V.THAMILSELVI, J.

mps

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