



S.A(MD)No.340 of 2012

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **06.03.2025**

CORAM:

THE HONOURABLE MR.JUSTICE P.VADAMALAI

S.A(MD)No.340 of 2012
and
M.P(MD)No.1 of 2012

S.S.Muthaiah

... Appellant/1st Respondent/
Plaintiff

Vs.

1.Unnamalai Aachi

...1st Respondent/Appellant/
2nd Defendant

2.Valliammai

...2nd Respondent/2nd Respondent/
1st Defendant

PRAYER :-

This Second Appeal is filed under Section 100 of the Civil Procedure Code, to set aside the judgment and decree dated 30.08.2011 in A.S.No.20 of 2009 on the file of the Principal District Judge, Sivagangai, reversing the judgment and decree, dated 31.03.2008 in O.S.No.24 of 2006 on the file of the Sub Judge, Devakottai.

For Appellant	: Mr.R.Rajesh Kumar for V.R.Shanmuganathan
For R1	: Mr.T.Antony Arulraj
For R2	: Mr.S.Madhavan



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JUDGMENT

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When the matter was taken up for hearing today (06.03.2025), the learned counsel for the appellant submitted that the sole appellant is no more and even after making several phone calls requiring the appellant's legal heirs to furnish the details, there was no reply from them and reported 'no instructions'. A memo has also been filed to that effect. The said memo is recorded.

2. Hence, this Court has no other way except to dismiss this appeal as abated. Accordingly, this Second Appeal is dismissed as abated. No costs. Consequently, the connected Miscellaneous Petition is closed.

06.03.2025

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



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To

- 1.The Principal District Judge,
Sivagangai.
- 2.The Sub Judge,
Devakottai.
- 3.The Record Keeper,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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S.A(MD)No.340 of 2012

P.VADAMALAI, J.

VSD

JUDGMENT MADE IN
S.A(MD)No.340 of 2012
and
M.P(MD)No.1 of 2012

06.03.2025