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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.01.2025

CORAM

THE HON'BLE MRS.JUSTICE S.SRIMATHY

S.A(MD)No. 263 of 2013

and

C.M.P(MD)No.10666 of 2021

A.Mariappan Adopted Son of Late.Ayyanadar

... Appellant

Vs.

1. Dhalavaipandian [Died]

2. Rajalakshmi

3. Thangamudi

4. Rajapandiyan

5. Thenaruvi

6. Meenakumari

7. Kani

... Respondents

[Respondents 2 to 7 are brought as Legal heir of the deceased sole respondent, vide Order of this Court, dated 27.06.2019]

PRAYER: Second Appeal is filed under Section 100 of Civil Procedure Code, against the Judgment and Decree passed by the Learned Subordinate Judge, Srivilliputtur in A.S.No.25 of 2004 dated 31.08.2012 confirming the Judgment and Decree of the Learned Additional District Munsif, Srivilliputtur in O.S.No.101 of 1986.



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For Appellant : M/s.M.Ashokkumar

For Respondents : R-1 Died

M/s.Jessi Jeeva Priya, for R-2 to R-7

JUDGEMENT

The Learned counsel appearing for the Appellant submitted that there is no possibility for getting instructions from the Appellant.

2. Since the Learned Counsel appearing for the Appellant could not get any instructions from the Appellant, this Second appeal is dismissed as non prosecution. However, liberty is granted to the appellant to restore the second appeal and adjudicate the same, if so advised. No Costs. Consequently, C.M.P(MD)No.10666 of 2021, is allowed.

30.01.2025

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

KSA

Note : Registry is directed to return the original documents.



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To

1. The Subordinate Court,
Srivilliputtur.
2. The Additional District Munsif Court,
Srivilliputtur.
3. The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY, J.

KSA

Judgment made in
S.A(MD)No. 263 of 2013

30.01.2025