



S.A.(MD)No.299 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.01.2025

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

S.A.(MD)No.299 of 2020

and

C.M.P.(MD)Nos.3564 and 3565 of 2020

1.Krishnasamy Konar

2.Perumal Konar

... Appellants/
Appellants/
Plaintiffs

Vs.

1.Subbaiah

2.Muthupandi

... Respondents/
Respondents/
Defendants

PRAYER: Second Appeal filed under Section 100 of Civil Procedure Code, to set aside the judgment and decree passed in A.S.No.38 of 2018 dated 25.11.2019 on the file of the Sub Court, Kovilpatti confirming the judgment and decree passed in O.S.No.173 of 2015 dated 29.08.2018 on the file of the District Munsif Court, Kovilpatti by allowing this second appeal.

For Appellants : Mr.H.Arumugam

For R1 : Mr.S.Pon Senthil Kumaran



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JUDGMENT

The Second Appeal is directed against the judgment and decree passed in A.S.No.38 of 2018 dated 25.11.2019 on the file of the Subordinate Court, Kovilpatti, confirming the judgment and decree made in O.S.No.173 of 2015 dated 29.08.2018 on the file of the District Munsif Court, Kovilpatti.

2. It is evident from the records that death of the second respondent and the first appellant was reported as earlier as in July-2024 and despite taking sufficient time, they have not chosen to take steps for the deceased second respondent and the first appellant. It is further evident that though the matter was posted as finally twice for taking steps, steps are not filed till now. Hence, the Second Appeal is dismissed as abated. Consequently, connected Miscellaneous Petitions are closed.

No costs.

02.01.2025

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

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1. The Subordinate Judge, Kovilpatti.
2. The District Munsif, Kovilpatti.
3. The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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S.A.(MD)No.299 of 2020

K.MURALI SHANKAR, J

csn

Judgment made in
S.A.(MD)No.299 of 2020
and
C.M.P.(MD)Nos.3564 and 3565 of 2020

Dated : 02.01.2025