



S.A.(MD)No.340 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.07.2025

CORAM

THE HON'BLE MR.JUSTICE **G.ARUL MURUGAN**

S.A.(MD)No.340 of 2019

and

C.M.P.(MD)No.6692 of 2019

S.Gurusamy

... Appellant

vs

Gurusamy (Died)

1.Ponnuthai

2.Ganaguru

3.Gurunathan

...Respondents

PRAYER: Second Appeal is filed under Section 100 of the Code of Civil Procedure, to set aside the judgment and decree passed by the Court of the Additional District Judge, Srivilliputhur, Virudhunagar District in A.S.No. 31 of 2013 on 19.12.2018 in reversing the well considered judgment and decree passed by the Court of the Subordinate Judge, Srivilliputhur in O.S.No.23 of 2008, on 28.06.2013.

For Appellant : Mr.P.Kannan

For Respondents : Mr.M.V.M.Ashok Kumar



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JUDGMENT

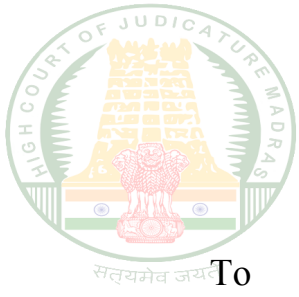
The sole appellant in the appeal died as early as on 27.12.2024 and the appeal has already abated. However, when the Second Appeal was listed on 27.06.2025, the learned Counsel for the appellant sought adjournment to take steps to substitute the legal heirs of the deceased appellant and the appeal was adjourned to today, ie., on 14.07.2025.

2. Even today, ie., on 14.07.2025, when the Second Appeal is listed, steps has not been taken by the learned Counsel for the appellant. Considering the fact that the appeal has already been abated and no steps has been taken to bring the legal heirs of the deceased appellant on record, the Second Appeal is dismissed as abated. No costs. Consequently, connected miscellaneous petition is closed.

14.07.2025

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

cmr



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- 1.The Additional District Judge, Srivilliputhur, Virudhunagar District.
- 2.The Subordinate Judge, Srivilliputhur.

The Record Keeper,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.



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G.ARUL MURUGAN, J.

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Judgment made in
S.A.(MD)No.340 of 2019

14.07.2025