



O.S.A.No.32 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **23.03.2026**

CORAM

THE HONOURABLE MR.JUSTICE **P.VELMURUGAN**
and
THE HONOURABLE MRS.JUSTICE **K.GOVINDARAJAN THILAKAVADI**

O.S.A.No.32 of 2018
and
C.M.P.Nos.1872 of 2018 & 13856 of 2020

A.M.A.Rawoof
S/o.C.Miya Sahib

... Appellant

Vs.

1. Saifuddin
S/o.Thahir Ali
2. John Raja
S/o.J.L.A.Pandian

... Respondents

Original Side Appeal filed under Order XXXVI, Rule 1 of the Madras High Court Original Side Rules read with Clause 15 of Letters Patent, to set aside the judgment and decree passed in C.S.No.858 of 2010, dated 02.03.2017 on the file of this Court.

For Appellant : Mr.B.Harikrishnan

For Respondents : R1 – Died
R2 – Not ready in notice



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J U D G M E N T

(Judgment of the Court was delivered by **P.VELMURUGAN, J.**)

The first defendant, who is unsuccessful in C.S.No.858 of 2010, dated 02.03.2017, has filed the present appeal, challenging the decree passed in favour of the first respondent/plaintiff.

2. It is seen from the case records that the first respondent/plaintiff died in the year 2021 and no steps have been taken to bring on record his legal representatives till date. The second respondent herein is the second defendant in the suit, who is only a formal party.

3. In such circumstances, this Court finds that the appeal cannot be effectively proceeded with and no useful purpose would be served in keeping the same pending. Accordingly, the Original Side Appeal stands dismissed as abated. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

(P.V.,J.) (K.G.T.,J.)
23.03.2026

ms

Speaking / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No



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**P.VELMURUGAN, J.,
and
K.GOVINDARAJAN THILAKAVADI, J.,**

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and
C.M.P.Nos.13856 of 2020 & 1872 of 2018**

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