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S.A.No.130 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2026

PRESENT:

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

S.A. No. 130 of 2014

and

M.P. No. 1 of 2014

Shrine Basilica of
Our Lady of Health Vailankanni,
Rep. By its Rector,
Rev.Fr. A. Micheal,
Nagapattinam.

...Appellant

Vs.

M. Ramalingam,
S/o.Muthusamy,
No.2/72, Chetty Street,
Kilvelur Taluk,
Nagapattinam District.

...Respondent

PRAYER: Second Appeal filed against the Judgment and Decree passed by the Court of Subordinate Judge, Nagapattinam dated 27.09.2013 made in A.S.No.38 of 2012 reversing the judgment and decree of the District Munsif Court, Nagapattinam dated 22.09.2011 made in O.S.No.55 of 2008.

For Appellant : No appearance.

For Respondent : No appearance.



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J U D G M E N T

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When this matter was taken up for hearing on 20.11.2025, learned counsel for the appellant sought time to implead the legal heirs of the deceased sole respondent. Subsequently, when the matter was listed again on 04.12.2025, it is seen that the sole respondent died in the year 2020 and no steps have been taken till date to implead the legal heirs of the deceased sole respondent. Hence, the appeal was about to be dismissed as abated. However, on verification of records, it is seen from the mediation report dated 19.09.2025 that the sole respondent has appeared. Hence, this matter was listed under the caption 'For being spoken to' and the learned counsel for the respondent has filed a memo dated 06.01.2026 stating that the sole respondent passed away on 28.04.2020 and it was a mistaken reference and only the legal heir of the sole respondent has appeared and sought time to file a petition to bring on record, the legal heirs of the deceased sole respondent and thus, the matter was adjourned.



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2.However, when this matter was taken up today, there is no representation on either sides and no steps have been taken till date to implead the legal heirs of the sole respondent.

3.Hence, this appeal is dismissed as abated by efflux of time. No costs. Consequently, the connected miscellaneous petition is closed.

02.02.2026

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Index:Yes/No

Speaking Order/Non-speaking Order

Neutral Citation:Yes/No

To

1.The subordinate Judge,
Nagapattinam.

2.The District Munsif Court,
Nagapattinam.

3.The Section Officer,
V.R.Section,
High Court of Madras, Chennai.

DR. A.D. MARIA CLETE, J

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