



SA(MD). No.866 of 2009

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 24.02.2026

CORAM

THE HONOURABLE MRS. JUSTICE **N.MALA**

SA(MD). No.866 of 2009
and M.P(MD)No.1 of 2009

Jeganatha Pandian

... Appellant/Appellant/Plaintiff

Vs.

1. Rajapandi
2. Irulappan
3. Poopandi

... Respondents/Respondents/Defendants

Prayer: Second Appeal is filed under Section 100 C.P.C against the judgment and decree in A.S.No.64 of 2006 dated 20.11.2007 on the file of the Sub Court, Paramakudi, confirming the judgment and decree in O.S.No.38 of 2003 dated 27.06.2006 on the file of the District Munsif cum Judicial Magistrate Court, Kamuthi.

For Appellant : Mr.S.Siva Thilakar
For R1 to R3 : No appearance

J U D G M E N T

When the matter was taken up for hearing on 22.01.2026, at the request of the learned counsel for the appellant for taking steps to bring



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on record the legal heirs of the deceased appellant, the matter was directed to be listed on 11.02.2026. On 11.02.2026, when the matter was taken up for hearing, the learned counsel for the appellant took further time to take steps. Therefore, the matter was directed to be listed today i.e on 24.02.2026. When the matter is taken up for hearing today, the learned counsel for the appellant submits that he had contacted the lower court counsel who informed him that he does not know the present address of the appellant.

2. Under such circumstances, this Court finds no justifiable reasons for keeping the Second Appeal pending. Hence, this Second Appeal is dismissed as abated. No costs. Consequently, connected miscellaneous petition is closed. However, the legal heirs of the appellant are at liberty to approach this Court to get themselves impleaded in the Second Appeal, if so advised.

24.02.2026

CM



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To,

1. The Sub Court,
Paramakudi

2. The District Munsif cum Judicial Magistrate Court,
Kamuthi.

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



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N.MALA, J

CM

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and MP(MD)No.1 of 2009**

Date : 24.02.2026