



S.A.(MD)No.439 of 2014

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 18.02.2026

CORAM :

**THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR**

S.A.(MD)No.439 of 2014  
and  
M.P.(MD)No.1 of 2014

Ramasamy

... Appellant/  
Appellant/  
Defendant

Vs.

Appaji (Died)

*(memo dated 18.04.2024 filed on 26.04.2024  
in USR.No.16369 is recorded to the effect that  
sole respondent died vide Court order dated  
20.01.2026 made in SA(MD)No.439 of 2014)*

... Respondent/  
Respondent/  
Plaintiff

**PRAYER:** Second Appeal filed under Section 100 of Civil Procedure Code, against the decree and judgment passed by the Principal Sub Judge, Tiruchirapalli in A.S.No.13 of 2010 dated 21.02.2011 confirming the decree and judgment of the Principal District Munsif cum Judicial Magistrate, Lalgudi in O.S.No.15 of 2000 dated 13.10.2009.



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For Appellant : No appearance

For Respondent : No appearance

### **JUDGMENT**

The Second Appeal is directed against the judgment and decree made in A.S.No.13 of 2010 dated 21.02.2011 on the file of the Principal Subordinate Court, Tiruchirappalli, confirming the judgment and decree passed in O.S.No.15 of 2000 dated 13.10.2009 on the file of the Principal District Munsif cum Judicial Magistrate, Lalgudi.

2. When the matter was taken up on 04.02.2026, there was no representation for the appellant as well as the respondent and hence, the matter was adjourned to 12.02.2026 finally and when the matter was taken up on 12.02.2026, at request of the learned counsel appearing for the appellant, the matter was adjourned to 18.02.2026 for taking steps for the deceased sole respondent finally. Even today (18.02.2026), there is no representation for the appellant as well as the respondent.

3. It is seen from the records that the learned counsel appearing for the respondent has filed a memo reporting the death of the respondent



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and furnishing the particulars of the respondent as early as on 26.04.2024. Despite taking several opportunities, steps were not taken. Hence, the Second Appeal is dismissed as abated. Consequently, connected Miscellaneous Petition is closed. No costs.

**18.02.2026**

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

To

1. The Principal Subordinate Judge, Tiruchirappalli.
2. The Principal District Munsif cum Judicial Magistrate, Lalgudi.
3. The Record Keeper,  
Vernacular Section,  
Madurai Bench of Madras High Court,  
Madurai.



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**K.MURALI SHANKAR, J**

csm

**Judgment made in**  
S.A.(MD)No.439 of 2014  
and  
M.P.(MD)No.1 of 2014

**Dated : 18.02.2026**