

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2018

CORAM

THE HON'BLE Mr. JUSTICE S.M.SUBRAMANIAM

S.A.No.1202 of 2005

M.S.Sambasiva Iyer

... Appellant

Vs

1.Tmt.D.Uma

2.Tmt.Abarna

3.Tmt.Aruna

4.Tmt.Vidya

5.Thiru D.Saravanan

.... Respondents

PRAYER: Second Appeal filed under Section 100 of the Code of Civil Procedure Code, against the decree and judgment passed in A.S.No.78 of 2004 dated 08.03.2005 on the file of the Principal District Judge, Vellore District, confirming the decree and judgment passed in O.S.No.463 of 1994 dated 29.10.2004 on the file of the sub-ordinate judge Vellore, Vellore District prays for setting aside the same and to allow the suit filed by him for partition and separate possession in O.S.No.463 of 1994 on the file of the Sub-Ordinate Judge, Vellore, Vellore District as prayed for by allowing this second appeal with Costs.

For Appellant : Mr.R.Natarajan

For Respondents : Mr.T.M.Hariharan

JUDGMENT

The learned counsel for the appellant made a submission that the sole appellant passed away. On account of his death, the properties in question are inherited by the grand sons and grand daughters. Even, the deposition as stated that after his death the properties in question, if at all granted, same will go to the grand sons and grand daughters of the appellants.

2. Thus, no further adjudication needs to be entertained in respect of the grounds raised in the present second appeal. Accordingly, second appeal stands closed. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1. The Sub-Ordinate Judge, Vellore,
Vellore District.
2. The Principal District Judge,
Vellore District.
3. The Section Officer,
V.R.Section, High Court, Madras.

+1 cc to M/s.T.M.Hariharan, Advocate Sr.No.80298

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CP(CO)
CSL/17.12.2018



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