

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2019

CORAM

THE HON'BLE MR.JUSTICE V.PARTHIBAN

SECOND APPEAL NO.1102 OF 2008

&

M.P.NO.1 OF 2008

1. M.Shankar
2. A.Gopal
3. Kalavathi
4. Vijayamani
5. Unnamalai
6. K.A.Elumalai
7. Dhanalakshmi
8. K.S.Iyyanar
9. Nazina Jan
10. Abdul Niyas
11. Abdul Azaath
12. Soundararajan
13. Kamala
14. Ramachandran
15. Loganathan
16. Parthiban

...Appellant

Vs.

1. The Executive Officer,
Selection Grade Town Panchayat,
Kannankurichi,
Salem - 8.
2. The Executive Officer/Assistant Commissioner,
Arulmigu Periya Mariyamman Koil,
Kannankurichi,
Salem

...Respondents

Second Appeal filed under Section 100 of C.P.C 1908 against the Judgment and decree dated 25.09.2006 in A.S.No.78 of 2006 on the file of the Additional Sub Court, Salem confirming the judgment and decree dated 07.07.2005 made in O.S.No.692 of 2000 on the file of the I Additional District Munsif Court, Salem.

For Appellant .. Ms.K.Ponmani
For Respondents .. Mr.R.Babu
for R.2
Mr.N.Manikandan, GA
for R.1

JUDGMENT

It is represented by the learned counsel appearing on behalf of the appellant that the matter has become infructuous, in view of the fact that H.R.&C.E Department has taken over the possession, which was in favour of the appellant and therefore nothing survives for adjudication in the matter.

2.In view of the same, this Court finds that nothing survives for adjudication in the Second Appeal and consequently, the S.A.No.1102 of 2008 stands dismissed as having become infructuous. Consequently, the connected miscellaneous petition stands closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mrm

To

- 1.The I Additional District Munsif Court, Salem
- 2.The Additional Sub Court, Salem

Copy To

The Section Officer,
VR Section, High Court,
Madras-104.

- +1cc to Mr.B.Vijayakumar, Advocate, S.R.No.103379
+1cc to Mr.V.Rajesh, Advocate, S.R.No.102874

S.A.No.1102 of 2008

RP(CO)
CS/10/02/2020