

IN THE HIGH COURT OF JUDICATURE AT MADRAS
Dated: 08.01.2019

Coram:
The Honourable Dr.Justice G.JAYACHANDRAN

Second Appeal No.2092 of 2004

Chellammal,
W/o.Thangavel Udayar,
Mariyamman Koil Street,
Anandavadi Village,
Ariyalur Taluk,
Perambalur District. Appellant/Plaintiff

Vs.

Chinnappa,
S/o.Chinnapillai Udayar,
North Street,
Anandavadi Village,
Ariyalur Taluk,
Perambalur District. Respondent/Defendant

PRAYER: This Second Appeal has been filed under Section 100 of Civil Procedure Code, against the judgment and decree of the Learned Subordinate Judge, Ariyalur in A.S.No.81 of 1996 dated 03.03.2004 reversing the judgment and decree of the Additional District Munsif, Ariyalur dated 16.02.1996 in A.S.No.81/96 in O.S.No.218 of 1993.

For Appellant : Ms. Mahamandra Rajalakshmi.R
for Sarvabhauman Associates

For Respondent : Mr.C.Ravichandran

J U D G M E N T
सत्यमेव जयते

The learned counsel appearing for the respondent has filed a memo stating that the sole appellant Chellammal died on 01.08.2015. After her demise, her legal heirs namely Selvaraj, Jothi, Chithra have sold the suit mentioned property in favour of Selvambal vide registered sale deed dated 28.03.2016. The said Selvambal in turn has sold the suit schedule property in favour of Mr.Balamurugan who is none other than the son of the respondent herein. So, by virtue of registered sale deed dated 11.07.2016 executed by Selvambal, which she has purchased from the legal heirs of the appellant, the disputed property has come to the possession and enjoyment of the respondent son. Therefore, nothing survives in the present appeal.

2. A copy of the memo was also served to the learned counsel for the appellant along the photocopy of the sale deed executed to Selvambal by legal heirs of the deceased appellant and the sale deed of Selvambal executed in favour of the respondent son are also produced.

3. In the light of the above facts, nothing survives in the Second Appeal. Accordingly, the Second Appeal is disposed of. No costs.

* Enclosed the Xerox copy of Memo.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

bsm

To,

- 1.The Learned Subordinate Judge,
Ariyalur.
- 2.The Learned Additional District Munsif,
Ariyalur.
- 3.The Section Officer,
VR Section, High Court,
Madras -104.

+1cc to Mr.S.Mohan, Advocate, S.R.No.1812

Second Appeal No.2092 of 2004

SR(CO)

rrs 12/02/2019

WEB COPY