



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 24.10.2019

CORAM

WEB COPY

THE HONOURABLE MS. JUSTICE P.T.ASHA

S.A.(MD)No.18 of 2015
and
M.P.(MD)No.2 of 2015

M.Tamilarasi

.. Appellant/Appellant/Defendant

Vs.

N.Somasundaram

..

Respondent/Respondent/Plaintiff

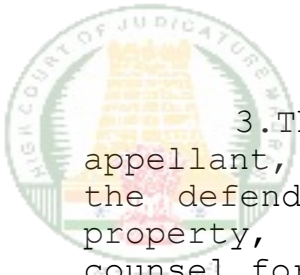
Prayer : This Second Appeal filed under Section 100 of Civil Procedure Code, to set aside the Judgment and Decree made in A.S.No.31 of 2012 dated 27.03.2013 on the file of the learned Principal Subordinate Judge, Kumbakonam confirming the Judgment and Decree made in O.S.No.250 of 2009 dated 31.07.2012 on the file of the learned Principal District Munsif, Kumbakonam.

For Appellant	: No Appearance
For Respondent	: Mr.P.Thiagarajan

JUDGMENT

The second appeal has been filed against the judgment and decree passed in A.S.No.31 of 2012 dated 27.03.2013 on the file of the learned Principal Subordinate Judge, Kumbakonam confirming the Judgment and Decree made in O.S.No.250 of 2009 dated 31.07.2012 on the file of the learned Principal District Munsif, Kumbakonam.

2.The learned counsel for the respondent would submit that the plaintiff has purchased the property, which is described as 'H, I, L, D' in the plaint plan, which was annexed at page no.6 of the type set of papers. Nothing would survive in the second appeal, since the suit was filed by the plaintiff against the defendant for a permanent injunction restraining them from interfering in the property. This property is situated to the north of the suit schedule lane. The plaintiff has his property to the south of the suit schedule lane. Thereby, the dispute has come to an end.



3.The learned counsel who entered appearance for the appellant, has become Judicial Officer. Considering the fact that the defendant is left with no property around the suit schedule property, the Court records the submission made by the learned counsel for the respondent.

WEB COPY

4.Recording the aforesaid submission, this second appeal is closed. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

Mrn

To

1.The Principal Sub Judge, Kumbakonam.

2.The Principal District Munsif, Kumbakonam.

Copy to

The V.R. Section, (2 copies)
Madurai Bench of Madras High Court,
Madurai.

S.A. (MD) No.18 of 2015
24.10.2019

VB(06.12.2019) 2P 5C