



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
S.A.No.1501 of 2000

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1.Ponnuswamy Gounder (Died)

2.Saraswathi

3.P.Swaminathan

4.Vasanthamani

5.Vijayagandhi

..Appellants

(Appellants 2 to 5 brought on
record as LR's of the deceased
sole appellant vide order of court
dated 30/09/2019 made in CMP.No.21229,
21231 & 21232/19 in SA.No.1501/2000
Appellants /7th Respondent/7th defendant

Vs.

1.Sengoda Gounder (Died)

2.State of Tamil Nadu,

Rep.by the Collector, Erode District.

3.The Revenue Divisional Officer,
Erode.

4.The Tahsildar,
Erode Taluk.

5.The Executive Engineer,
Erode Taluk, Erode District.

6.The Divisional Officer, Lower Bhavani
LPP Canal Division Office, Konavoykkal Erode.

7.The Junior Engineer,
Lower Bhavani LPP Canal, Arachalur.



8.Subramaniam
9.Pavayammal
10.Saraswathi
11.Dhanalakshmi
12.Duraisamy

...Respondents/Appellant
Respondents 1 to 6&8/
Plaintiff/
Defendants 1 to 6 & 8

(R9 to R12 are brought on record as legal heirs
of the deceased 1st respondent vide order
dated 03.02.2020 in made in
C.M.P.No.1830 & 1831 & 1834 of 2020
in S.A.No.1501 of 2000)

Prayer: Second Appeal filed under Section. 100 of C.P.C. filed
against the judgement and decree in A.S.No.2 of 1999 dated
19.02.1999 passed by the Additional Sub-Judge, Erode reversing
the judgement and decree in O.S.No.282 of 1997 dated 12.08.1998
passed by the I Additional District Munsif, Erode and to allow
this appeal.

For Appellants : M/s.P.T.Ramadevi

For Respondents : Mr.V.S.Kesavan for R9 to R12
Mr.S.Jagannathan
Government Advocate
(Criminal Side) for R2 to R7
R8 - Notice served,
No appearance
R1 - Died

J U D G M E N T

This second appeal is directed as against the judgement
and decree in A.S.No.2 of 1999 dated 19.02.1999 passed by the
Additional Sub-Judge, Erode reversing the judgement and decree
in O.S.No.282 of 1997 dated 12.08.1998 passed by the I
Additional District Munsif, Erode and to allow this appeal.

The learned counsel for the appellants submitted that
already the defendants 1 to 6 preferred an appeal in S.A.No.1327
of 2000 and the same was dismissed by this Court dated
30.01.2020. The present second appeal preferred by the 7th
defendant as against the very same judgement and decree filed in
A.S.No.2 of 1999. In view of the above order passed by this
Court in S.A.No.1327 of 2000 dated 30.01.2020, this second
appeal also dismissed.



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2. Accordingly this second appeal stands dismissed. No costs.

-s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

pns

To

1. The Additional Sub-Judge,
Erode.
2. The I Additional District Munsif,
Erode.

copy to
The Section Officer
VR Section
High Court, Madras

+1 cc to Mrs.P.T.Ramadevi Advocate sr8460
+1 cc to Mr.V.S.Kesavan Advocate sr8932
+1 cc to special government Pleader(CS) sr8359

S.A.No.1501 of 2000

gj(co)
aa08/07/2020