

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2020

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

S.A.Nos.467 & 468 of 2005
and
C.M.P.Nos.7462 & 7463 of 2005

1.Sajjila Begum
2.P.Manoharan
3.P.Kumar
4.P.Balu
5.P.Visvanathan
6.Mani

..Appellants in both Appeals

Vs.

1.K.Manjula Bai
2.T.S.K.Ravishankar Sha
3.Minor T.S.K.Harishankar Sha
rep by his mother & Guardian R1

..Respondents 1 to 3 in SA.468/2005

4.Dr.A.Natarajan ..Respondents 1 to 4 in SA. 467/2005

COMMON PRAYER: These Second Appeals are filed under Section 100 of CPC against the decrees and judgments made in A.S.Nos.37 & 43 of 2003 on the file of the Court of Principal Sub-Ordinate Judge, Mayiladuthurai dated 28.10.2004 in reversing the judgments and decrees made in O.S.No.975 & 977 of 1996 on the file of the court of Principal District Munsif, Mayiladuthurai dated 09.10.2002.

For Appellants : Muthukumar

For Respondents : No appearance

COMMON JUDGMENT

These second appeals are directed as against the decrees and judgments made in A.S.Nos.37 & 43 of 2003 on the file of the Court of Principal Sub-Ordinate Judge, Mayiladuthurai dated 28.10.2004 in reversing the judgments and decrees made in O.S.No.975 & 977 of 1996 on the file of the court of Principal District Munsif, Mayiladuthurai dated 09.10.2002.

2. The Suit property is inseparable and cannot be divided.

Since already the 6th appellant died and this Court dismissed the appeals as abated as against the 6th appellant. Since the property is inseparable and cannot be divisible, the entire appeal is dismissed as abated. However, the legal heirs of the 6th appellant are at liberty to file a petition to implead the LR's of the 6th appellant.

3. Accordingly, these second appeals are dismissed as abated. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

Pns

To

1. The Principal Sub-Ordinate Judge,
Mayiladuthurai
2. The Principal District Munsif,
Mayiladuthurai.

Copy To

The Section Officer,
V.R. Section, High Court,
Madras.

S.A.Nos.467 & 468 of 2005

PM(CO)
GN(19/03/2020)

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