



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2020

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

S.A(MD) .No.316 of 2015

and

M.P(MD) .No.2 of 2015

WEB COPY

1. Shreedhara Panicker
2. Janaki
3. Kamalavathi
4. Gomathi
5. Shreekumari
6. Prabha
7. S.Janaki
8. Balashanmugam
9. Neelambikal
10. Maheswari
11. Cyril Mary
12. Subatha

... Appellants/Respondents 1 to 12/
Plaintiffs 1 and 3 to 13

Punitha Velan Kathiravan (Died)
Appellants 2 to 12/ Respondents 2 to 13/
Plaintiffs 3 to 14, rep. by their
Power holder 1st Appellant / 1st Appellant/
1st Plaintiff.

-Vs-

1. David Jesuraj
 2. Jeya
 3. Bennet
 4. Berlin
- (Respondents 3 and 4 are minors
rep. by 2nd respondent Jeya)

... Respondents 1-4/Appellants/
Defendants 4 and 8 to 10

5. Chenturan
 6. Hariharan
 7. Saradha
- Reethammal (Died)
8. C.John Bright,
 9. C.John Robert
 10. C.John Jacoub
 11. C.John Jaculin

... Respondents 8 to 11/Respondents
18 to 21/L.R's of 7th defendant

(Respondents 5 to 7 set exparte
before 1st Appellate Court)

Prayer: Second Appeal filed under Section 100 of C.P.C., against
the decree and judgment passed by II Additional Subordinate Judge,

<https://hcservices.ecourts.gov.in/hcservices/>



Nagercoil Camp at Kuzhithurai in A.S.No.40 of 2010 dated 30.01.2015, reversing the judgment and decree passed by Principal District Munsif Kuzithurai in O.S.13 of 1998 dated 11.02.2010.

For Appellants :Mr.A.Balakrishnan
for M/s.K.P.Narayanakumar
For Respondents :Ms.J.Anandhavalli
[for R1 to R3]
Mr.S.M.S.Johnny Basha for R4
Mr.E.V.N.Siva for R8
R9 to R11 - No Appearance
R5 to R7 - Notice not necessary
vide order dated 11.08.2015

O R D E R

This Second Appeal has been filed by the appellants, against the decree and judgment passed by the learned II Additional Sub Judge, Nagercoil Camp at Kuzhithurai in A.S.No.40 of 2010 dated 30.01.2015, reversing the judgment and decree passed by the learned Principal District Munsif Kuzhithurai in O.S.13 of 1998 dated 11.02.2010.

2. Heard the learned counsel appearing for the appellants and the learned Counsel appearing for the respondents.

3. The learned counsel appearing for the appellants, on instructions, would submit that the matter has become infructuous.

4. Recording the said submission, this Second Appeal is dismissed as infructuous. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pkn/pm

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

<https://hcservices.ecourts.gov.in/hcservices/>



To

1. The II Additional Subordinate Judge,
Nagercoil Camp at Kuzhithurai.
2. The Principal District Munsif,
Kuzhithurai.
3. The Record Keeper, V.R.Section, (2 copies)
Madurai Bench of Madras High Court,
Madurai.

S.A(MD) .No.316 of 2015
09.11.2020

VB (19.11.2020) 3P 5C