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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2021

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

S.A.No.78 of 2015
and M.P.No.1 of 2015

(Through Video Conferencing)

1. Kannammal
2. Ramaraj ... Appellants

vs.

1.Selvi Vinita @ Kavitha
2.Kalpana
3.Thavamani
4. The Government of Tamilnadu,
Rep.by its District Collector,
Coimbatore.

5. The Thasildar
Taluk Office, Pollachi. ... Respondents

Prayer: This Second Appeal has been filed under Section 100 of the Code of the Civil Procedure, against the judgment and decree dated 22.10.2013 made in A.S.No.27 of 2012 on the file of the Sub Court, Pollachi, reversing the Judgment and decree dated 27.01.2010 made in O.S.No.403 of 2008 on the file of the District Munsif Court, Pollachi.

For Appellant : M/s.C.Veeraraghavan

For R1 to R3 : Mr.R.Nandhakumar

R4 & R5 : Not ready in Notice

J U D G M E N T

Heard the learned counsel for the appellant and the 1st to 3rd respondents.

2. The 2nd appellant had originally filed O.S.No.521 of 1996. It was originally decreed exparte on 03.12.2001 and thereafter exparte decree was set aside and the said suit was renumbered as O.S.No.294 of 2015. The said suit was filed by



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the appellants against Palanisamy who was married to the first appellant herein. After the suit was restored to the files of the Court, the 1st to 3rd respondents herein filed O.S.No.403 of 2008 before the District Munsif cum Judicial Magistrate, Pollachi.

3. The said suit was filed for declaration that the 1st and 2nd respondents are the legal heirs of the late.Palanisamy Gounder who died on 10.03.1997. It is mentioned that O.S.No.294 of 2015 is still pending before the Sub Court, Pollachi.

4. The issue as to whether the respondents 1 & 2 are the legal heirs of late.Palanisamy Gounder or not and now stands concluded. Therefore, no substantial questions of law raises for consideration in this appeal.

5. In view of the above, this Second Appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

kkd

To:

1. The Subordinate Judge,
Pollachi,

2. The District Munsif,
Pollachi.

Copy to

The Section Officer,
VR Section, High Court,
Madras-104.

+1cc to Mr.C.Veeraraghavan, Advocate Sr.32193

+1cc to Mr.R.Nandhakumar, Advocate Sr.32329

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srg 12/11/2021