



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHANS.A(MD)No.1260 of 2005

WEB COPY

1. Sundarambal

2. Juli

... Appellants/ Appellants /
Plaintiffs**Vs.**

Seethalakshmi

... Respondent/Respondent /
Defendant

Prayer: Second appeal filed under Section 100 of C.P.C., to set aside the Judgment and Decree made in A.S. No.17 of 2004 dated 08.03.2005 on the file of the Principal Subordinate Judge, Thanjavur, confirming the Judgment and Decree dated 26.04.2004 made in O.S.No.4 of 2004 on the file of the District Munsif, Thiruvaiyaru and consequently allow the above second appeal.

For Appellant : No appearance.

For Respondent : Mr.M.R.S.Prabhu

J U D G M E N T

None appears for the appellants.

2. However the learned counsel appearing for the respondent states that nothing survives in this matter. The plaintiffs are the appellants. The suit was for injunction restraining the respondent from putting up construction in the suit property. It is stated that the suit was dismissed and the first appellate Court has also dismissed the appeal. The defendant had since put up construction and the same has been assessed property tax and she is residing therein.

3. In view of the statement made by the learned counsel appearing for the respondent, I am unable to note that anything survives for further adjudication. This second appeal is dismissed as infructuous. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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.

To:

1. The Principal Subordinate Judge,
Thanjavur.
2. The District Munsif,
Thiruvaiyaru.

Copy to

The Record Keeper, V.R.Section,
Madurai Bench of Madras High Court,
Madurai.

+1CC to M/S.V.K.VIJAYARAGAVAN, Advocate, SR-32268, dated
22/10/2021

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21.10.2021

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