



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

S.A(MD)No.140 of 2018
and
C.M.P(MD) No.3751 of 2018

Subbiah ... Appellant/Appellant/Plaintiff

Vs.

1.Thangavelu
2.Manimanthiri
3.Kuttaian ... Respondents 1 to 3/
Respondents 1 to 3/Defendants 1 to 3

4.Induletcumi
5.The State of Tamil Nadu,
through its Tirunelveli District Collector,
Tirunelveli.

6.The Tashildar,
Tashildar Office,
Sankarankoil Taluk,
Tirunelveli District. ... Respondents 4 to 6/
Respondents 4 to 6/Defendants 4 to 6

Prayer : Second Appeal filed under Section 100 of the Code of Civil Procedure against the judgment and decree, dated 02.03.2010 passed in A.S.No.32 of 2008, on the file of the Subordinate Court, Sankarankoil, confirming the judgment and Partial decree, dated 14.12.2007 passed in O.S. No.453 of 2004 on the file of the Principal District Munsif Court, Sankarankoil.

For Appellants : Mr.S.Ramesh @ Ramiah
For 4th Respondent : Mr.R.Suriyanarayanan
For Respondents 5 & 6 : Mr.G.Suriyananth,
Additional Government Pleader

JUDGMENT

The learned counsel for the appellant submitted that the sole appellant died on 27.10.2019 itself and he is not in a position to get any details regarding the legal heirs of the deceased appellant and the legal heirs of the deceased/appellant is not interested in prosecuting the case.



2.In view of the above, the Second Appeal is dismissed as abated. No costs. Consequently connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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 Subordinate Judge,
Sankarankoil.
- 2.The Principal District Munsif,
Sankarankoil.
- 3.The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

Judgment made in
S.A(MD)No.140 of 2018
24.01.2022

ss (CO)
GC(11.02.2022) 2P 5C