



S.A.No.529 of 2010  
and M.P.Nos.1 to 3 of 2010

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2023

CORAM

THE HONOURABLE MRS. JUSTICE **R. HEMALATHA**

S.A.No.529 of 2010  
and  
M.P.Nos.1 to 3 of 2010

Jayaraman

... Appellant

Vs.

1.Saraswathi Ammal  
2.Sakunthalammal  
3.Subramanian  
4.Koteeswaran  
5.Rajeswari  
6.Vijaya  
7.Dhanusu  
8.Ganesan

... Respondents

Prayer : Second Appeal filed under Section 100 CPC, 1908 against the decree and judgment dated 11.12.2009 passed in A.S. No.91 of 2006, on the file of the Sub Court, Mathurantagam, upholding the decree and judgment dated 29.09.2004 passed in I.A.No.1270 of 1998 in O.S. No.48 of 1997, on the file of the District Munsif Court, Mathurantagam.



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For Appellant : Mr.B.M.Kiran Kishan  
for Mr.M.V.Venkataseshan  
For R4 : Mr.P.Amarnath

### **JUDGMENT**

Today when the matter is taken up for hearing, Mr.B.M.Kiran Kishan, representing counsel for the appellant on record submitted that he had already filed change of vakalat. However, there is no record to show the same. He would contend that a compromise final decree was passed in I.A.No.1270 of 1998 in O.S.No.49 of 1997 dated 29.09.2004 by the learned District Munsif, Mathurantagam and that as per the final decree, respective parties have taken possession of the suit properties and nothing survives for further adjudication in the second appeal. He also furnished a copy of the final decree passed in I.A.No.1270 of 1998 in O.S.No.49 of 1997.



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2. Recording the said submission, the Second Appeal is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petitions are closed.

**06.03.2023**

Index: Yes/No  
Internet: Yes/No  
Speaking/Non-Speaking order  
mtl



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**R. HEMALATHA, J.**

mtl

To

1. The Sub Court, Mathurantagam.
2. The District Munsif Court, Mathurantagam.
3. The Section Officer, VR Section, High Court, Madras.

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