



S.A(MD)No.174 of 2013

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.02.2023

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

S.A(MD)No.174 of 2013
and MP(MD)No.1 of 2013

P.Rajakhan

... Defendant/Respondent/Appellant

Vs

1. John Albert

2. Jennatnth John

... Plaintiffs/Appellants/Respondents

PRAYER: Second Appeal filed under Section 100 of Code of Civil Procedure against the decree and Judgment passed in A.S. No. 4 of 2012, on the file of Principal Sub Judge, Nagercoil, dated 16.08.2012 reversing the Judgment and decree passed in O.S.No.466 of 2006, on the file of Additional District Munsif Court, Nagercoil, dated 21.10.2011.

For Appellants : Mr.M.P.Senthil

For R1, R2 : Mr.V.R.Shanmughanathan



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JUDGMENT

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When the matter is taken up for hearing today, the learned counsel for the respondents submits that the appellant has already vacated the subject matter of the suit property and handed over the possession to the respondents. Therefore, nothing survives in the Second Appeal, for further adjudication.

2.The learned counsel for the appellant submits that he has not received any information from the appellant in this regard.

3.It is seen from the records, the decree of ejectment was passed as against the appellant. Therefore, recording the statement made by the learned counsel for respondents, the Second Appeal is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

16.02.2023

NCS :Yes/No
Index :Yes/No
Internet:Yes/No
PNM



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To

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1. The Principal Sub Judge, Nagercoil
2. The Additional District Munsif, Nagercoil
3. The Record Keeper,
Vernacular Section, Madurai Bench of Madras High Court,
Madurai.



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S.A(MD)No.174 of 2013

S. SOUNTHAR, J.,

PNM

**JUDGMENT IN
S.A(MD)No.174 of 2013
and MP(MD)No.1 of 2013**

16.02.2023