



S.A.No.20 of 2001 and W.P.No.16428 of 1999

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

S.A.No.20 of 2001 and W.P.No.16428 of 1999

S.A.No.20 of 2001

1.Murugan

2.Avudaimmal

...Appellants

vs.

Poovammal

... Respondent

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure against the Judgment and Decree dated 05.06.2000 in A.S.No. 157 of 1992 on the file of the Subordinate Court, Ambasamudram reversing the Judgment and Decree dated 03.09.1990 in O.S.No.1101 of 1987 on the file of the District Munsif Court, Ambasamudram.

For Appellants

:

Mr.Arivukumar

for Mr.A.R.Nixon

For Respondent

:

Mr.S.Kumar

for Mrs.Uma Ramanathan

W.P.No.16428 of 1999

Murugan

...Petitioner

vs.



S.A.No.20 of 2001 and W.P.No.16428 of 1999

- 1.The District Revenue Officer,
Tirunelveli.
- 2.The Special Deputy Collector,
Revenue Court, Madurai.
- 3.The Record of Tenancy Right Tahsildar,
Ambasamudram
- 4.Poovammal

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of writ of certiorarified mandamus calling for the records relating to the Order passed in Revision Petition No.E.2-5/95, dated 07.09.1999 by the first respondent confirming the order in Appeal No.2/95, dated 31.08.1995 passed by the second respondent setting aside the Order passed by the third respondent in T.R.No.73/86, dated 02.01.1995 and quash the same and forbear the fourth respondent from interfering with the petitioner's physical possession and enjoyment of 80 cents of land out of 2 acres 67 cents in S.No.703, in Vickramasingapuram, Ambasamudram Taluk, Tirunelveli District.

For Petitioner : Mr.Arivukumar
for Mr.A.R.Nixon

For Respondents : Mr.S.Kumar
for Mrs.Uma Ramanathan
for R4

No appearance for R1 to R3



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COMMON ORDER

When the matter is taken up for hearing today, the learned counsel appearing for the appellants in the Second Appeal would submit that both the appellants and the respondent in the appeal died long back.

2. The first appellant in the appeal is the petitioner in the writ petition. Therefore, the appellants in the appeal and the petitioner in the writ petition died long back. However, no steps were taken till date to bring on record the legal heirs of the deceased persons. If steps were not taken within 90 days pursuant to the death of the appellants / petitioners, the appeal / petition would abate. Therefore, the second appeal and the writ petition are dismissed as abated. No costs.

27.04.2023

NCC:Yes/No

Index:Yes/No

Speaking/Non-speaking order

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To

- 1.The Subordinate Court,
Ambasamudram.
- 2.The District Munsif Court,
Ambasamudram.
- 3.The District Revenue Officer,
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- 4.The Special Deputy Collector,
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P.VELMURUGAN, J.

mbi

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