



S.A.No.1601 of 2003

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.10.2023

CORAM

THE HONOURABLE MRS.JUSTICE R.KALAIMATHI

S.A.No.1601 of 2003

The Kumbakonam Diocese Society,
Kumbakonam, by its Procurator,
Rev. Fr.Santiago,
Office at Bishop's House,
Kamaraj Road, Kumbakonam

...Appellant

vs.

T.Manoharan

... Respondent

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure against the Judgment and Decree dated 04.02.2003 in A.S.No.172 of 2000 on the file of the Additional Subordinate Court, Kumbakonam confirming the Judgment and Decree dated 24.04.2002 in O.S.No.447 of 1998 on the file of the District Munsif Court, Kumbakonam.

For Appellant : Mr.P.Thiyagarajan

For Respondent : No appearance



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JUDGMENT

The learned counsel for the appellant has filed a Memo dated 18.10.2023 to the effect that the respondent has surrendered the possession of the suit schedule property to the appellant in May 2005, and at present, the appellant is in possession and enjoyment of the suit schedule property by letting out the same to the third parties from May 2005 onwards. Memo dated 18.10.2023 is hereby recorded. Along with this Memo, copy of the letter of appellant is also enclosed.

2. The learned counsel for the appellant would also submit that as nothing survives in this appeal, the appeal may be dismissed as not pressed. He has also made an endorsement to that effect.



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3. In view of the endorsement made by the learned counsel for the appellant, the appeal stands dismissed as not pressed. No costs.

18.10.2023

NCC:Yes/No
Index:Yes/No
Speaking/Non-speaking order

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To

- 1.The Additional Subordinate Judge, Kumbakonam
- 2.The District Munsif, Kumbakonam
- 3.The Section Officer,
Vernacular Records Section,
Madurai Bench of Madras High Court,
Madurai.



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R.KALAIMATHI, J.

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