



S.A.Nos.2008 & 2228 of 2003 & 264 of 2004

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.09.2023

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THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

S.A.Nos.2008 & 2228 of 2003 & 264 of 2004

In S.A.No.2008 of 2003

Arulmigu Mayuranathaswamy Thirukoil,
Through its Executive Officer.

...Appellant

vs.

Rajapalayam Municipality,
Through its Commissioner,
T.P.Mills Road, Rajapalayam.

...Respondent

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure against the Judgment and Decree dated 22.01.2003 in A.S.No. 53 of 2001 on the file of the Sub Court, Srivilliputtur confirming the Judgment and Decree dated 21.08.2001 in O.S.No.178 of 1997 on the file of the Additional District Munsif Court, Srivilliputtur.

For Appellant : Mr.PT.S.Narendravasan

For Respondent : Mr.N.Dilip Kumar



S.A.Nos.2008 & 2228 of 2003 & 264 of 2004

In S.A.No.2228 of 2003

Arulmigu Mayuranathaswamy Thirukoil,
Through its Executive Officer.

...Appellant

vs.

Rajapalayam Municipality,
Through its Commissioner,
T.P. Road, Rajapalayam.

...Respondent

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure against the Judgment and Decree dated 22.01.2003 in A.S.No. 54 of 2001 on the file of the Sub Court, Srivilliputtur confirming the Judgment and Decree dated 21.08.2001 in O.S.No.177 of 1997 on the file of the Additional District Munsif Court, Srivilliputtur.

For Appellant : Mr.PT.S.Narendravasan

For Respondent : Mr.N.Dilip Kumar

In S.A.No.264 of 2004

Arulmigu Mayuranathaswamy Thirukoil,
Through its Executive Officer.

...Appellant

vs.

Rajapalayam Municipality,
Through its Commissioner,
T.P. Road, Rajapalayam.

...Respondent



S.A.Nos.2008 & 2228 of 2003 & 264 of 2004

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure against the Judgment and Decree dated 22.01.2003 in A.S.No. 55 of 2001 on the file of the Sub Court, Srivilliputtur confirming the Judgment and Decree dated 21.08.2001 in O.S.No.173 of 1997 on the file of the Additional District Munsif Court, Srivilliputtur.

For Appellant : Mr.PT.S.Narendravasan

For Respondent : Mr.N.Dilip Kumar

COMMON JUDGMENT

When the matters were taken up for hearing on 11.09.2023, this Court recorded the submissions of Mr.N.Dilip Kumar, learned counsel for the respondent and the same is as follows.

"2.Mr.N.Dilip Kumar, learned counsel has submitted that when the matter was filed in the Principal Seat during the year 2003, some other counsel appeared for the respondent. Thereafter, when the matter was listed before this Court on 29.08.2023, since there was no representation on behalf of the respondent, this Court directed the respondent to appear before this Court. Thereafter, he was instructed to appear on behalf of the respondent. He further submitted that the appellant has duly paid the entire amount for the subsequent years and there is no dispute among the appellant and the respondent with regard to the payment of tax for the subsequent years. However, he seeks time to get appropriate instructions in this aspect."



S.A.Nos.2008 & 2228 of 2003 & 264 of 2004

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2. Today, when the matters are taken up for hearing, the learned counsel appearing for the appellant in all the appeals would submit that though he has contacted the appellant, there was no response from them. He would also submit that the appellant may not have any grievance since according to Mr.Dilip Kumar, learned counsel, the appellant has been paying the dues of the property tax regularly.

3. In view of the fact that the appellant is not showing any interest to prosecute the appeals, recording the submissions of the learned counsel for the appellant and the learned counsel for the respondent, the Second Appeals are hereby closed as no further orders are required. No costs.

26.09.2023

NCC:Yes/No

Index:Yes/No

Speaking/Non-speaking order

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S.A.Nos.2008 & 2228 of 2003 & 264 of 2004

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To

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



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S.A.Nos.2008 & 2228 of 2003 & 264 of 2004

KRISHNAN RAMASAMY, J.

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& 264 of 2004

26.09.2023