



S.A.No.2126 of 2003

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

S.A.No.2126 of 2003

and

M.P.No.19804 of 2003

Arulmigu Thirumalai Kumaraswamy Thirukkoil,
Panpoli, rep. by its Executive Officer,
Panpoli, Tirunelveli District.

... Appellant / Appellant / Plaintiff

-Vs-

- 1.State of Tamil Nadu,
rep. by District Collector,
Tirunelveli District,
Having his Office at Kokkirakulam,
Tirunelveli.
- 2.The Tahsildar,
Taluk Office,
Shencottah, Having its Office at Shencottah.
- 3.Ganapathy Thevar (died)
- 4.Periasamy
- 5.Sendurpandian
- 6.Sudalaiyandi Thevar
- 7.P.A.Syed Umar
- 8.R.Ramakrishna Naidu
- 9.Gomathiammal
- 10.A.P.Arumugham
- 11.Ayyappan
- 12.Sivarama Sundaram



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13.Vellaiammal

14.Minor Maheswari

15.Minor Rajeswari

...Respondents 1 to 15 / Respondents / Defendants

16.Subbulakshmi

17.Shanmugalakshmi

18.Mari

19.Swarnam

20.Mahendra Boopathy

21.Sutha

22.Santhosam

... Respondents 16 to 22

(Minor Respondents 14 and 15 are represented by Court guardian, Selvi Thirumal Vadivu, Advocate, Tenkasi.)

(Memo dated 26.04.2023 is recorded and Respondents 16 to 22 are suo-motu impleaded as LRS of the deceased 3rd respondent vide Court order dated 21.07.2023 in S.A.No.2126 of 2003)

PRAYER: Second Appeal is filed under Section 100 of the Code of Civil Procedure to set aside the judgment and decree of the learned Additional Subordinate Judge, Tenkasi, dated 26.04.2001 made in A.S.No.57 of 1998, confirming the judgment and decree of the learned District Munsif, Shencottah, dated 18.02.1998 made in O.S.No.50 of 1995.

For Appellant : Mr.K.Sreekumaran Nair

For R1 & R2 : Mr.A.Baskaran,

Additional Government Pleader

For R3 to R6 &

R16 to R22 : Mr.M.P.Senthil

For R7 : Mr.M.Thirunavukkarasu



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JUDGMENT

Today, when the matter is taken up for hearing, the learned counsel for the appellant reported 'no instructions'. It shows that the appellant is not interested in pursuing this appeal. Therefore, this Court has no other option except to dismiss this appeal for non-prosecution. Accordingly, this Second Appeal stands dismissed for non-prosecution. No costs. Consequently, connected miscellaneous petition is closed.

12.09.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

Yuva

To

- 1.The Additional Subordinate Judge,
Tenkasi.
- 2.The District Munsif,
Shencottah.
- 3.The Record Keeper,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.

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KRISHNAN RAMASAMY, J.

Yuva

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