



S.A.Nos.2137 & 2138 of 2003

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.06.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

S.A.Nos.2137 & 2138 of 2003 &
M.P(MD)Nos.1 to 3 of 2011 and 1 to 3 of 2011

P.Kanagu

...Appellant in both appeals

vs.

K.Avulu

... Respondent in both appeals

Common Prayer: Second Appeals filed under Section 100 of the Code of Civil Procedure against the Judgment and Decree dated 30.04.2003 in A.S.Nos.169 & 170 of 1995 respectively on the file of the Principal District Court, Tiruchirapalli reversing the Judgment and Decree dated 20.03.1995 in O.S.Nos.1087 & 695 of 1985 respectively on the file of the Principal District Munsif Court, Tiruchirapalli.

In both appeals,

For Appellant : Mr.R.Devaraj

For Respondent : No appearance



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COMMON JUDGMENT

The order of this Court dated 19.06.2023 in M.P(MD)Nos.1 and 1 of 2011 in S.A.Nos.2137 and 2138 of 2003 respectively are not complied with. Therefore, M.P(MD)Nos.1 and 1 of 2011 in S.A.Nos.2137 and 2138 of 2003 respectively are dismissed. The consequential petitions in M.P(MD)Nos.2, 2, 3 and 3 of 2011 in S.A.Nos.2137 and 2138 of 2003 respectively are also dismissed.

2. The learned counsel appearing for the appellant filed Memo dated 28.06.2023 in both the appeals stating that the sole appellant died. Memo in both the appeals are hereby recorded. However, so far, steps have not been taken for the deceased sole appellant. The sole respondent in both the appeals has also passed away. Therefore, the Second Appeals are dismissed as abated. No costs.

30.06.2023

NCC:Yes/No

Index:Yes/No

Speaking/Non-speaking order

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To
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- 1.The Principal District Court,
Tiruchirapalli
- 2.The Principal District Munsif Court,
Tiruchirapalli
- 3.The Vernacular Records Section,
Madurai Bench of Madras High Court,
Madurai.



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P.VELMURUGAN, J.

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