



S.A.No.1409 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2024

CORAM

HONOURABLE MR. JUSTICE SATHI KUMAR SUKUMARA KURUP

S.A.No.1409 of 2013

and

M.P.No.1 of 2013

R.Parimala

...Appellant

Vs.

1. R.Malliga

2. S.Ashok Kumar

3. R.Sabariselvan

...Respondents

PRAYER: Second Appeal filed under Section 100 of the Code of Civil Procedure, to set aside the Judgment and Decree in A.S.No.17 of 2012 dated 27.09.2013 on the file of the learned District Judge, Thiruvarur confirming the Judgment and Decree in O.S.No.27 of 2011 dated 19.12.2011 on the file of the learned Subordinate Judge, Thiruvarur.

For Appellant : Ms.S.R.Sumathy



S.A.No.1409 of 2015

For Respondents : Mr.B.Ramamoorthy

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JUDGMENT

This Second Appeal has been filed to set aside the Judgment and Decree in A.S.No.17 of 2012 dated 27.09.2013 on the file of the learned District Judge, Thiruvarur confirming the Judgment and Decree in O.S.No.27 of 2011 dated 19.12.2011 on the file of the learned Subordinate Judge, Thiruvarur.

2. When the case came up for hearing, Ms.S.R.Sumathy, the learned Counsel for the Appellant submitted that during the pendency of this Second Appeal, the Execution Petition was allowed and the property was handed over to the Plaintiff/Decree Holder. Therefore, nothing survives in this Petition.

3. Considering the submission of the learned Counsel for the Appellant and on perusal of the records, it is found that E.P.No.73 of 2012 was allowed in continuation of the decree granted by the trial



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Court. Therefore, nothing survives in this Second Appeal and the Second Appeal is dismissed as infructuous. Consequently, connected Miscellaneous Petition is closed.

02.07.2024

Index : Yes/No
Internet : Yes/No
dh

To

1. The learned Subordinate Judge,
Thiruvarur.
2. The learned District Judge,
Thiruvarur.



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SATHI KUMAR SUKUMARA KURUP.J.,

dh

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