



S.A.(MD).No.335 of 2012

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2024

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

S.A.(MD)No. 335 of 2012

1. Singaravelu

2. Ramu

... Appellants

/Vs./

G.Panneerselvam

...Respondent

PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code, against the Judgment and Decree dated 29.09.2008 made in A.S.No.101 of 2006 on the file of the Principal Sub Court, Kumbakonam, confirming the Judgment and Decree dated 19.04.2006 made in O.S.No.24 of 2005 on the file of the Principal District Munsif Court, Kumbakonam.

For Appellant : Mr.N.Balakrishnan

For Respondent : Mr.T.V.Sivakumar

JUDGMENT

This Second appeal is filed against the Judgment and Decree dated 29.09.2008 made in A.S.No.101 of 2006 on the file of the Principal



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Sub Court, Kumbakonam, confirming the Judgment and Decree dated 19.04.2006 made in O.S.No.24 of 2005 on the file of the Principal District Munsif Court, Kumbakonam.

2. The Defendants are the Appellants and the Plaintiff is the Respondent herein. For the sake of convenience, the parties shall be referred to as Plaintiff and Defendant.

3. Heard Mr.N.Balakrishnan, the Learned Counsel appearing for the Appellants and Mr.T.V.Sivakumar, the Learned Counsel appearing for the respondent and perused the material documents available on records.

4. The plaintiff had filed a suit in O.S.No.24 of 2005 for bare injunction and the same was allowed. Aggrieved over the same the defendants have filed A.S.No.101 of 2006 and the same was dismissed. Aggrieved over the same, the present Second Appeal is filed.



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5. The Learned counsel appearing for the appellants submitted that the suit property is belonging to the Hindu Religious and Charitable Endowments Department. Pending this Second Appeal, the suit property was taken over by the Hindu Religious and Charitable Endowments Department. Therefore, the suit property is not belonging to the plaintiff and defendants. To this effect, a memo, dated 16.12.2024 is filed.

6. Recording the aforesaid memo, this Second Appeal is disposed of. No Costs.

16.12.2024

Index : Yes / No

NCC : Yes / No

KSA



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TO:

1. The Principal Sub Court, Kumbakonam.
2. The Principal District Munsif Court, Kumbakonam.
3. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY, J.

KSA

Judgment made in
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