



S.A(MD)Nos.1051 & 1052 of 2006

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.07.2024**

CORAM

THE HON'BLE MR.JUSTICE S.SOUNTHAR

S.A(MD)Nos.1051 & 1052 of 2006

and

M.P(MD)Nos.1 & 1 of 2006

- 1.Subramanian
- 2.Senthil Kumar
- 3.Chinnammal
- 4.Selvam
- 5.Chinthamani
- 6.Vellaiammal
- 7.Ganesan
- 8.Saraswathi

... Appellants/Respondents
Defendants
(In both case)

Vs.

Chinnakkannu @ Vellaian

... Respondent/Appellant
Plaintiff
in S.A.(MD)No.1051 of 2006

Chinnappa

... Respondent/Appellant
Plaintiff
in S.A.(MD)No.1052 of 2006



S.A(MD)Nos.1051 & 1052 of 2006

PRAYER in S.A(MD)No.1051 of 2006 : Second Appeal filed under Section 100 of the Civil Procedure Code, to set aside the decree and judgment made in A.S.No.105 of 2003, dated 23.03.2006 on the file of the I Additional Subordinate Judge, Tiruchirapalli, reversing the decree and judgment made in O.S.No.79 of 1997, dated 31.08.2000 on the file of the District Munsif Court, Manapparai by allowing this Second Appeal and thereby decreeing the suit in toto with cost.

PRAYER in S.A(MD)No.1052 of 2006 : Second Appeal filed under Section 100 of the Civil Procedure Code, to set aside the decree and judgment made in A.S.No.110 of 2003, dated 23.03.2006 on the file of the I Additional Subordinate Judge, Tiruchirapalli, reversing the decree and judgment made in O.S.No.67 of 1997, dated 31.08.2000 on the file of the District Munsif Court, Manapparai by allowing this Second Appeal and thereby decreeing the suit in toto with cost.

For Appellants : No appearance
(in both case)

For Respondent : Mr.G.Prabhu Rajadurai
in S.A(MD)No.1051 of 2006

For Respondent : Mr.V.Ramakrishnan
in S.A(MD)No.1052 of 2006



S.A(MD)Nos.1051 & 1052 of 2006

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COMMON JUDGMENT

When both the Second Appeals were taken up for hearing on 12.07.2024, there was no representation for the appellants. The learned Counsel for the respondent in S.A(MD)No.1051 of 2006 informed the Court that sole respondent passed away on 06.09.2020. Hence, in order to give an opportunity to the appellants, the Registry was directed to list the matter under the caption 'For Dismissal'.

2. Today, both the Second Appeals are listed under the caption 'For Dismissal'. Even today, there is no representation for the appellants.

3. Hence, both the Second Appeals stand dismissed for default. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions stand closed.

16.07.2024

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



S.A(MD)Nos.1051 & 1052 of 2006

To

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- 1.The I Additional Subordinate Judge,
Tiruchirapalli.
- 2.The District Munsif Court,
Manapparai.
- 3.The Section Officer,
Vernacular Record Section,
Madurai Bench of Madras High Court,
Madurai.



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S.A(MD)Nos.1051 & 1052 of 2006

S.SOUNTHAR, J.

BTR

Judgment made in
S.A(MD)Nos.1051 & 1052 of 2006

Dated:
16.07.2024