



S.A(MD)No.266 of 2006

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **14.08.2024**

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

**S.A(MD)No.266 of 2006
and
C.M.P(MD)No.1996 of 2006**

1.Veerappan
2.Periyasamy

... Appellants/Respondents 3 & 4/
Defendants 3 & 4

Vs.

1.Periya Karuppan

... 1st Respondent/Appellant/Plaintiff

2.The Tahsildar,
Karaikudi Taluk,
Karaikudi,
Sivagangai District.

3.The District Collector,
Sivagangai District.

... Respondents 2 & 3/Respondents 3 & 4/
Defendants 3 & 4

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure against the judgment and decree dated 27.10.2005 passed in A.S.No.16 of 2005 on the file of the Sub Court, Devakottai, reversing the judgment and decree dated 26.02.2004 passed in O.S.No.94 of 1999 on the file of the Additional District Munsif Court, Karaikudi.



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For Appellants	: Mr.A.L.Kannan
For Respondents	: No appearance for R.1
	: Mr.R.Ragavendran Government Advocate for R.2 & R.3

JUDGMENT

When the matter came up of hearing on 31.07.2024, the learned counsel appearing for the appellants submitted that both the appellants died and sought time for taking steps to implead the legal heirs of the deceased appellants.

2.When the matter is taken up for hearing today, the learned counsel appearing for the appellants submitted that inspite of taking earnest efforts to bring on record the legal representatives of the deceased appellants, the legal heirs of the deceased appellants are not interested in pursuing the matter further and hence, the learned counsel for the appellants reported 'no instructions'.

3.It appears that the legal heirs of the deceased appellants is not interested in prosecuting the matter further. Therefore, this Court is of the view that no useful purpose would be served in keeping the matter pending.



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4.In view of the above, the Second Appeal is dismissed as abated. No costs. Consequently, connected Miscellaneous Petition is closed.

14.08.2024

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

To

1.The Sub Court,
Devakottai.

2.The Additional District Munsif Court,
Karaikudi.

3.The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.



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ps

Judgment made in
S.A(MD)No.266 of 2006

14.08.2024