



S.A(MD)No.104 of 2004

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2024

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

S.A(MD)No.104 of 2004

1.B.Parimalanayaki
2.R.Bhoominathan

... Appellants

.VS.

1.Pancheswari
2.Yasotha @ Jothi
3.Rajeswari
4.Thanavur Municipality,
represented by its Commissioner,
Gandhiji Road,
Thanjavur.

... Respondents

PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code, against the judgment and decree dated 24.12.2003 made in A.S.No. 111 of 2003, on the file of the Principal District Court, Thanjavur modifying the judgment and decree dated 23.07.2003 made in O.S.No.301 of 1995 on the file of the District Munsif, Thanjavur.

For Appellants	: Mr.R.Giridharan
For R1 to R3	: Mr.V.K.Vijayaragavan
For R4	: Mr.V.Ragupathi



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J U D G M E N T

Today, when the matter is taken up for hearing, the learned counsel appearing for the appellants has filed a memo stating that the second appellant died on 09.09.2014 leaving behind the first appellant and his three sons as his legal heirs. All the three sons are living separately and they are not interested in prosecuting the case. The first appellant is aged about 85 years and she is not in a position to continue the litigation. Hence, the second appeal may be dismissed as not pressed. The said memo is recorded.

2. In view of the submission made by the learned counsel for the appellants, this second appeal is dismissed for non-prosecution. No costs.

Index : Yes / No

Speaking Order : Yes / No

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20.09.2024



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To

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



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V.BHAVANI SUBBAROYAN, J.

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