



S.A.No.1133 of 2003

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.01.2024

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

S.A.No.1133 of 2003

Raju Gounder

... Appellant/Appellant/Plaintiff

Vs.

1.The State of Tamil Nadu,
Rep., by the District Collector,
Trichy Collectorate,
Cantonment, Tiruchirapalli.

2.The Revenue Divisional Officer,
Collector's Office,
Cantonment, Tiruchirapalli.

3.The Tahsildar-Manapparai Taluk,
Taluk Office,
Manapparai, Trichy District.

4.Ponnammal

... Respondents/Respondents/
Defendants

Prayer: Appeal filed under Section 100 of Civil Procedure Code to set aside
the judgment and decree dated 23.04.2002 made in A.S.No.310 of 2001 on



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the file of the Second Additional District Judge (P.C.R.), Tiruchirapalli, confirming the judgment and decree dated 18.09.2001 made in O.S.No.31 of 1997 on the file of the District Munsif, Manapparai.

For Appellant : Mr.M.Hariharan

For Respondents : No appearance

JUDGMENT

In this appeal, Respondents No.1 to 3 are shown as not necessary parties and batta is not paid by the appellants. Hence, notice is not served on Respondents No.1 to 3.

2. Insofar as the 4th respondent is concerned, learned counsel for the appellant took time on 16.12.2021 to take steps to bring on record the legal representatives of the deceased 4th respondent. However, for the reasons best known, as on date, no steps have been taken to bring on record the legal representatives of the deceased 4th respondent. In view of the same, the appeal already abated on expiry of 90 days time since the date of demise of



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the 4th respondent or at least with effect from 16.12.2021. In the circumstances, the factum of the appeal being abated is taken note of and accordingly, this Second Appeal is dismissed as abated. However, there shall be no order as to costs.

29.01.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

ABR

To

- 1.The Second Additional District Judge (P.C.R.),
Tiruchirapalli.
- 2.The District Munsif,
Manapparai.
- 3.The District Collector,
Trichy Collectorate,
Cantonment, Tiruchirapalli.
- 4.The Revenue Divisional Officer,
Collector's Office,
Cantonment, Tiruchirapalli.



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MUMMINENI SUDHEER KUMAR, J.

ABR

5.The Tahsildar-Manapparai Taluk,
Taluk Office,
Manapparai, Trichy District.

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