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S.A.No.1105 of 2008



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 25-10-2025

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

SECOND APPEAL No.1105 of 2008

D.Rajan

...

Appellant

-VS-

1.Danabakkiyam

2.The Panchayat Union Commissioner,
Union Office,
Tiruvannamalai.

3.The Panchayat Board President,
Andampallam Panchayat,
Andampallam.

4.Krishnan

...

Respondents

Appeal under Section 100 of Code of Civil Procedure against the judgment and decree, dated 09.10.2006, passed in A.S.No.5 of 2004, on the file of Principal Subordinate Court, Tiruvannamalai, confirming the judgment and decree, dated 29.12.2003, passed in O.S.No.201 of 2000, on the file of Principal District Munsif Court, Tiruvannamalai.

For Appellant : Mr.Tamil Thendral Aroon,
for Mr.P.Mani.

For Respondents 1 & 4 : No appearance

For Respondent 2 : Ms.R.Revathy

For Respondent 3 : Dr.S.Suriya,
Addl. Govt. Pleader.

JUDGMENT

The third defendant in O.S.No.201 of 2000 on the file of Court of Principal District Munsif, Tiruvannamalai, having suffered the decree of permanent injunction, filed A.S.No.5 of 2004 unsuccessfully on the file of Court of Principal Subordinate Court, Tiruvannamalai. Aggrieved by the judgment and decree, dated 09.10.2006, passed in A.S.No.5 of 2004 on the file of Principal Subordinate Court, Tiruvannamalai, he/the appellant filed the present Second Appeal under Section 100 of the Code of Civil Procedure.

2. When the matter came up for consideration before this Court on an earlier occasion on 07.10.2025, it was brought to the notice of this Court that the sole appellant died. Hence, the matter was adjourned for taking appropriate steps.

3. When the matter is again taken up for consideration today, learned counsel for the appellant represented that in spite of his best efforts, he is unable to



reach out to the legal representatives of the deceased appellant and hence he expressed his inability to bring on record the legal representatives of the deceased appellant.

4. Under the circumstances, this Second Appeal is dismissed, as abated.

However, if the legal representatives of the deceased appellant intend to pursue the matter any further, they are at liberty to file appropriate application to reopen this appeal. No costs. Consequently, the connected M.P.No.1 of 2008 is closed.

25-10-2025

Index : Yes / No
Internet : Yes / No

dixit

To

1.Principal Subordinate Judge,
Tiruvannamalai.

2.Principal District Munsif,
Tiruvannamalai.

3.Section Officer,
V.R.Section,
High Court,
Madras.



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MUMMINENI SUDHEER KUMAR, J.

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