



S.A. No.195 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2025

CORAM

THE HONOURABLE MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI

S.A. No.195 of 2020 and

C.M.P. Nos.3909 and 3910 of 2020

1. Thanjammal
2. Jayaraman (died)
3. Rani
4. J. Siva
5. J. Kanna
6. Vanaja

...Appellants

A2 died. A3 to A6 are brought on record as LR's of the deceased A2 vide court order dated 03.09.2025 made in CMP Nos. 21711, 21713 & 21715 of 2025 in S.A. No.195/2020.

Vs.

1. V. Panjalai
2. V. Perumal
3. V. Kandan
4. V. Sudhakar

...Respondents



S.A. No.195 of 2020

Prayer: This Second Appeal is filed under Section 100 of the code of Civil Procedure, to set aside the partly allowed judgment and decree dated 30.08.2019 passed in A.S. No.140 of 2014 on the file of the Subordinate Court, Arakkonam, and the judgment and decree dated 31.08.2005 passed in O.S. No.87 of 1998, on the file of the District Munsif Court, Sholinghur, Vellore District.

For Appellants : Mr. P. Krishnan
For Respondents : Mr.G. Jermiah

JUDGMENT

Learned counsel for the appellants contended that the matter has been settled between the parties out of court and therefore, prayed for disposing of the Second Appeal as settled out of court. He also filed a memo dated 10.11.2025 in this regard. The said memo is recorded and scanned hereunder.



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MEMO FILED ON BEHALF OF THE APPELLANTS

1. It is respectfully submitted that the respondents' father namely S.Vadivel (plaintiff) had filed suit in OS.No. 87 of 1998 on the file of District Munsif Court, Sholinghur against Veersamy (1st Defendant) and Chandrapillai (2nd defendant) for declaration and permanent injunction to declare that he is the owner of the suit property and not to interfere his peaceful possession and enjoyment. Pending the suit, the 1st defendant died and his legal heirs were brought on record namely Janakiammal (3rd defendant) and Thanjammal (4th defendant/1st Appellant).
2. It is respectfully submitted that the Trial Court by order dt. 31.08.2005, dismissed the suit. Aggrieved over the said order, plaintiffs preferred A.S.No.140 of 2014 on the file of the Sub Court, Arakkonam. Pending appeal, S.Vadivel died, his legal heirs (Respondents herein) were brought on record, Veerasamy, Chandrapillai and Janakiammal were died, their legal heirs were brought on record. The Ld. Appellate Court modified the appeal by order dt. 30.08.2019 to the effect that the appellant/plaintiff is entitled for injunction in respect of the usage of the well and electric service connection No.95.
3. It is submitted that aggrieved over the said order dt. 30.08.2019, appellants 1 and 2 preferred the above second appeal before this Hon'ble Court. Pending appeal, the 2nd appellant died and his legal heirs were brought on record. At the intervention of family members and the well-wishers of both parties, the appellants had purchased the suit property from the respondents under a Deed of Sale dated 24.10.2025 (Doc.No.1181/2025) on the file of SRO, Arakkonam. The copy of the said sale deed is enclosed herewith. In view of the purchase of the suit property by the appellants from the respondents, nothing survives in the above appeal. Hence the appellants crave leave of this Hon'ble court, record this memo and close the second appeal.



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It is therefore prayed that this Hon'ble Court may be pleased to record this memo, and close the above Second Appeal No. 195 of 2020 and pass such further or other orders and thus render justice.

Dated at Chennai on this 10th day of November 2025.

2. In view of the above, the Second Appeal is disposed of. No costs. Consequently, connected Civil Miscellaneous Petitions are closed.

3. The Court fee shall be refunded to the appellants as per rules.

10.11.2025

bga

Internet: Yes/No

Index: Yes/No

Speaking/Non-speaking order

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To

1. The Subordinate Judge, Arakkonam
2. The District Munsif Court, Sholinghur, Vellore District.
3. The Section Officer,
VR Section,
High Court, Madras.



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K.GOVINDARAJAN THILAKAVADI, J.

bga

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