



S.A.No.1078 of 2021

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

S.A.No.1078 of 2021
and C.M.P.No.20341 of 2021

1.The Special Tahsildar (ADW)/
Land Acquisition Officer,
Dharmapuri.

2.The District Collector,
Dharmapuri District,
Dharmapuri.

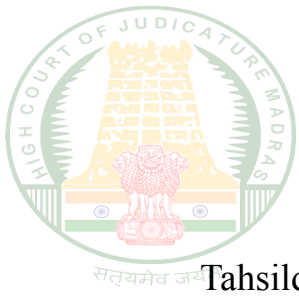
... Appellants

Vs.

Ellappagounder
Rep. by his authorized Power Agent:
Krishnan

... Respondent

Prayer: Second Appeal filed under Section 100 of the Civil Procedure Code, 1908 r/w. Section 13 of the Tamil Nadu Acquisition of Land for Harijan Welfare Schemes Act, 1978, praying to set aside the judgment and decree dated 30.10.2019 made in CMA.(LA).No.79 of 2004 on the file of Sub Court, Dharmapuri, modifying the Award No.4/ADW/1991-1992, Na.Ka.No.1374/1987(A), dated 24.07.1991, on the file of the Special



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Tahsildar (ADW) and Land Acquisition Officer, Dharmapuri.

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For Appellants : Mrs.R.Anitha,
Special Government Pleader

JUDGMENT

(Judgment of the Court was made by *M.S.RAMESH, J.*)

The sole respondent in this Second Appeal namely Ellappagounder had died on 02.04.2019 even prior to filing of the present Second Appeal. For bringing the legal heirs of the deceased respondent, the Second Appeal has been preferred. Thereafter, the appellants had filed three applications in CMP.No.4890 of 2022 to condone the delay of 922 days in seeking to set aside the abatement caused due to the death of the sole respondent; CMP.No.4894 of 2022 to set aside the abatement caused due to the death of the sole respondent and likewise CMP.No.4895 of 2022 was filed to bring on record the legal representatives of the deceased sole respondent. By an order dated 02.04.2024, a Co-ordinate Bench of this Court had dismissed all the three Civil Miscellaneous Petitions. As such, the Second Appeal itself stands abated and hence, no effective orders can be passed in



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this appeal.

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2. In the result, this Second Appeal stands dismissed as abated. No costs. Connected miscellaneous petition is closed.

[M.S.R, J.]

[R.S.V, J.]

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Index: Yes/No

Speaking order/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

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