



S.A.(MD)No.598 of 2005

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2025

CORAM:

**THE HONOURABLE MR. JUSTICE V.SIVAGNANAM**

**S.A.(MD)No.598 of 2005**

Ramakrishnan

...2<sup>nd</sup> Defendant/Appellant/Appellant

-Vs-

1.S.Durairaj

2.S.Dharmaraj

...Respondents 1 & 2/ Respondents 1 & 2/  
Plaintiffs

3.Arulmughu Vishwanatha Swami Kovil,  
Kulasekaranallur,  
Ottapidaram Taluk,  
Tuticorin District.  
Through its Trustee  
Visalatchi Ramlingam.

4.The Assistant Commissioner,  
HR & CE, Tuticorin - 1.

... Respondents 3 & 4/ Respondents 3 & 4/  
Defendants 1 & 3

**Prayer :** Second Appeal filed under Section 100 of the Civil Procedure Code, against the judgment and decree passed in A.S.No.3 of 2004, dated 01.12.2004 on the file of the Sub Court, Tuticorin confirming the judgment and decree passed in O.S.No.244 of 1999, dated 18.08.2003 on the file of the Additional District Munsif Court, Tuticorin.



WEB COPY



S.A.(MD)No.598 of 2005

For Appellant : Mr.D.Nallathambi  
For R1 and R2 : Mr.M.P.Senthil  
For R4 : Mr.M.Sidharthan  
Additional Government Pleader

\* \* \* \* \*

### **JUDGMENT**

This Second Appeal has been filed against the judgment and decree passed in A.S.No.3 of 2004, dated 01.12.2004 on the file of the Sub Court, Tuticorin confirming the judgment and decree passed in O.S.No.244 of 1999, dated 18.08.2003 on the file of the Additional District Munsif Court, Tuticorin.

2.When the matter was taken up for hearing, the learned counsel appearing for the appellant submitted that the sole appellant died on 15.12.2019 and steps have not been taken within the period of limitation as stipulated.

3.In view of the above, this Second Appeal is dismissed as abated. No costs.

**02.01.2025**  
**2/2**

NCC : Yes/No  
Index : Yes/No  
Internet: Yes/No  
RJR



S.A.(MD)No.598 of 2005

WEB COPY

- To
- 1.The Sub Court, Tuticorin.
  - 2.The Additional District Munsif Court, Tuticorin.
  - 3.The Section Officer,  
V.R. Section,  
Madurai Bench of Madras High Court, Madurai.



WEB COPY



S.A.(MD)No.598 of 2005

**V.SIVAGNANAM. J,**

RJR

**S.A.(MD)No.598 of 2005**

**02.01.2025**  
**2/2**