



SA(MD)No.187 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2025

CORAM :

THE HONOURABLE Mr. JUSTICE G.ARUL MURUGAN

S.A.(MD)No.187 of 2019

and

C.M.P(MD)No.4011 of 2019

V.Nagarajan ... Appellant / 1st Appellant / 1st Plaintiff

Vs

1.Oli Mohamed

2.The Assistant Director,
Town and Country Planning,
Thanjavur.

3.The State of Tamilnadu,
represented by the District Collecctor,
Collectorate,
Thanjavur.

... Respondents / Respondents / Defendants

4.Mohan

5.Banumathi

6.Indira ... Respondents / Appellants 2 to 4 / Plaintiffs 2 to 4

Prayer : This Second Appeal is filed under Section 100 C.P.C., against the judgment and decree passed in A.S.No.42 of 2017 on the file of the learned Additional Sub Court, Kumbakonam, dated 19.02.2018, confirming the decree and judgment passed in O.S.No.419 of 2010 on the file of the I Additional District Munsif Court, Kumbakonam dated 25.04.2017.

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For Appellant

: Mr.V.K.Vijayaragavan

For R2 and R3

: Mr.P.B.Ahamed Yasmin Parvin

JUDGMENT

The sole appellant in the appeal had died long back and when the Second Appeal was listed on 27.06.2025, learned counsel submitted that the sole appellant had died and sought time to take necessary steps. Even today, when the appeal is listed, no step has been taken to substitute the legal heirs of the sole appellant. It is evident that the appellant is not interested in prosecuting the appeal.

2. In view of the above, this Second Appeal is dismissed as abated. However, there shall be no orders as to costs. Consequently, connected miscellaneous petition is closed.

15.07.2025

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

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To

1. The Additional District and Sessions Judge, Theni at Periyakulam.
2. The Subordinate Judge, Uthamapalayam.
3. The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.



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G.ARUL MURUGAN, J.

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