



S.A.(MD)No.67 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 06.03.2025

CORAM

THE HONOURABLE MR. JUSTICE K.K.RAMAKRISHNAN

S.A.(MD)No.67 of 2018

and

CMP(MD)No.1438 of 2018

Thirukurungdi Jeer Mutt,
Madathipathi Jeer Swamigal,
Through his power agent Sivasankaran,
S/O.Sivasubramania Pillai,
No.60, Vadakku Mada Veethi,
Thirukurungudi, Nanguneri Taluk,
Tirunelveli District. ... Appellant

Vs

Velladuraipandian ... Respondent

PRAYER: Second Appeal filed under Section 100 of C.P.C., against the judgment and decree dated 13.07.2011, passed in A.S.No.121 of 2008 by the learned Subordinate Judge, Valliyoor, confirming the judgment and decree dated 31.01.2008, passed in O.S.No.66 of 2002, by the learned Principal District Munsif Court, Nanguneri.

For Appellant : Mr.V.George Raja

For Respondent : Mr.S.Loganathan



S.A.(MD)No.67 of 2018

JUDGMENT

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This second appeal is filed against the judgment and decree dated 13.07.2011, passed in A.S.No.121 of 2008 by the learned Subordinate Judge, Valliyoor, confirming the judgment and decree dated 31.01.2008, passed in O.S.No.66 of 2002, by the learned Principal District Munsif Court, Nanguneri.

2.The learned counsel appearing for the appellant would submit that the mutt filed a suit for recovery of possession against the deceased respondent. Pending the second appeal, the property was entrusted with the mutt and the respondent also died. Thereafter, he also leased the property to some other person. At this stage, he unable to find the legal heirs of the respondent. Hence, the learned counsel for the appellant would further submit that the second appeal may be dismissed as abated with the above statement.

3.Considering the said submission, this second appeal is dismissed as abated. It is open to the temple authority to file necessary application to restore the application as per law, if circumstances warrants. There



S.A.(MD)No.67 of 2018

shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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06.03.2025

vsg

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

To

- 1.The Subordinate Judge,
Valliyoor.
- 2.The Principal District Munsif Court,
Nanguneri.
- 3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court, Madurai.



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S.A.(MD)No.67 of 2018

K.K.RAMAKRISHNAN, J.

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