



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.02.2025

CORAM

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

S.A.(MD)No.425 of 2018

and

C.M.P.(MD)No.12235 of 2018

K.Ponnuchamy

... Appellant/Appellant/Plaintiff

-Vs-

K.Kandhasamy Thevar (died)

1.K.Rajendran

2.Petchiyammal

3.Jeyanthi

4.Jeyarani

5.Subramanian

6.K.Karuppayee

7.R.Panchavarnam

8.Saroja

... Respondents/Respondents/
Defendants

Prayer: Second Appeal is filed under Section 100 of Civil Procedure Code, against the judgment and decree dated 12.05.2017 made in A.S.No.17 of 2016 on the file of the District Court, Sivagangai, confirming the judgment and decree dated 29.02.2016 made in O.S.No.84 of 2005 on the file of the Sub Court, Devakkottai.



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For Appellant : Mr.S.Louis
For Respondent : Mr.A.R.Kannappan for R2 to R4
: No Appearance for R1, R6, R7 & R8
: R5 Died

JUDGMENT

The appellant filed this appeal against the judgment and decree dated 12.05.2017, made in A.S.No.17 of 2016, on the file of the District Court, Sivagangai, confirming the judgment and decree dated 29.02.2016, made in O.S.No.84 of 2005, on the file of the Sub Court, Devakkottai.

2. The learned counsel for the appellant and the learned counsel for the respondents 2 to 4 submitted that the sole appellant and the respondent namely, K.Kandhasamy Thevar are brothers. Now, the parties are dead, and the legal heirs of the deceased sole appellant and the deceased respondent are not interested in prosecuting the case.

3.Recording the same, this Second Appeal is dismissed as abated. Consequently, connected miscellaneous petition is closed. No costs.

18.02.2025

NCC : Yes/No

Index :yes/No

Internet:yes/No

dss



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To:

1.The District Court,
Sivagangai.

2.The Sub Court,
Devakkottai.

3.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court, Madurai.



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K.K.RAMAKRISHNAN, J.

dss

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