

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

O.S.A. Nos.83 of 1994 and 200 of 1995

N.Sathianathan & Sons (P) Ltd.
Rep. By its Managing Director,
K.Manikyaraja Ballal,
'Hotel Palmgrove', Kodambakkam
High Road, Madras 600 034.

.. Appellant in OSA 83/94 &
Respondent in OSA 200/95

-VS-

1.Asa John Divianathan
2.Susanna Rani Sekar
3.Rajkumari David
4.N.Swaminathan (Deceased)
5.E.V.Swaminathan
6.Alfred Swaminathan
7.Sukumar Swaminathan
(RR5 to 7 brought on record as LRs.
Of deceased R-1 (in OSA.80/1994)
and R-4 (in OSA.81/1994) vide order
of Court dt.23.6.2011 made in Memo
dt.16.6.2011 in USSR No.3067/2011)

.. Respondents in
OSA.83/1994 & appellants
in OSA.200/1995

Appeals filed under Order XXXVI Rule 11 of O.S. Rules read with
Clause 15 of the Letters Patent against the common order and decretal
order dated 09.02.1994 made in Application No.5170 of 1991 and
4135 of 1991 in C.S.No.600 of 1979 on the file of original side of this

Court.

For Appellant in
OSA.83/94 & Respondent
in OSA.200/95 : Mr.V.S.Subramanyan

For Respondents in
in OSA.83/94 & Appellants
in OSA.200/95 : Mr.T.V.Ramanujam, Sr.C.
For Mr.K.Kuppusamy

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J U D G M E N T

(Judgment of the Court was delivered by The Hon'ble Chief Justice)

There is no question of correction of the decree by the appellate Court, as the decree is corrected by the original Court if it is alleged that there is a mistake. If the decree is assailed in appeal, as has been done in the present case in a separate appeal, then that would be a matter to be considered in that appeal.

2.Original Side Appeals are, accordingly, disposed of. No costs.

(S.K.K., C.J.) (R.M.D., J.)
19.09.2016

Index : Yes/No
Website : Yes/No

sra

To

The Sub Assistant Registrar
Original Side, Madras High Court,
Chennai.

The Hon'ble Chief Justice
and
R.Mahadevan, J.

(sra)

O.S.A.Nos.83 of 1994
and 200 of 1995

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