

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2016

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
THE HON'BLE MR. JUSTICE M.M.SUNDRESH

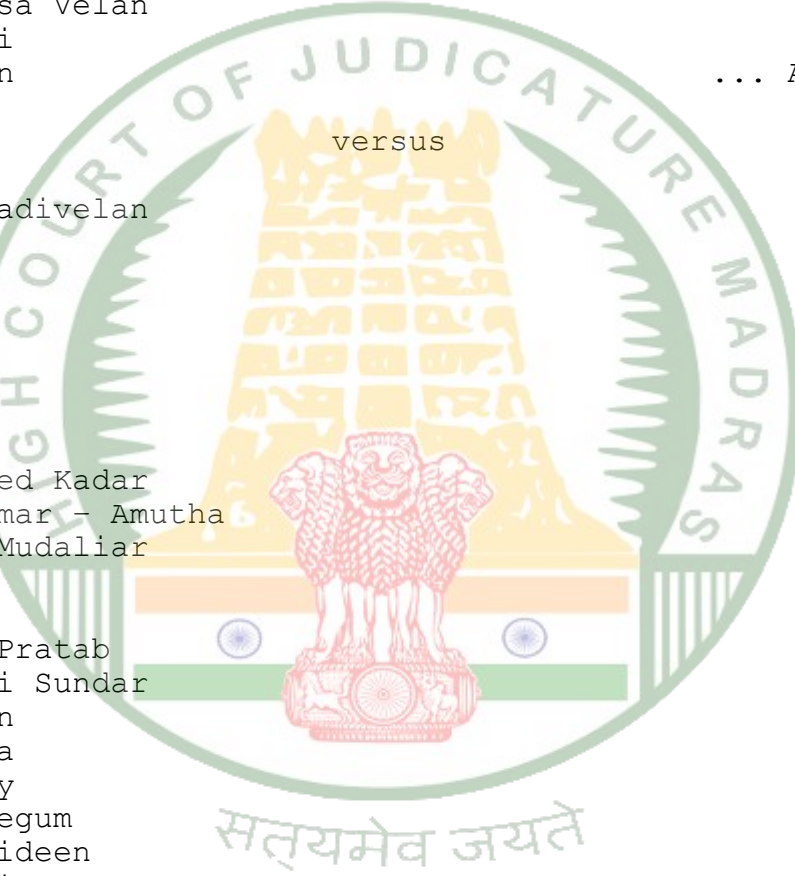
O.S.A.No.256 of 2015

1.R.Sivaganesa Velan
2.R.Sivapandi
3.R.Sivabalan

... Appellants

versus

1.R.Sundaravadivelan
2.Jalanisha
3.Arunagiri
4.Venkatesan
5.Govindaraj
6.Padmavathy
7.Bakkiam
8.Sundaram
9.Parveen Syed Kadar
10.Palani Kumar - Amutha
11.Ponnuvel Mudaliar
12.Shanwash
13.Dayalan
14.Gandhi - Pratab
15.Saraswathi Sundar
16.Salavudeen
17.Uma & Guna
18.Padmavathy
19.Sajmani Begum
20.Rahul Mohideen
21.Sharma Sait
22.Devendra Dev
23.Jindha (Briyani Bai)
24.Rafiq
25.Padmavathy
26.Ramesh Sait
27.Syed (Briyani Bai)
28.Basheer
29.Sundaram (own occupation)
30.Syed Kareem (Chicken shop)
31.Akthar Bai.
32.Jindha (Briyani Bai)
33.Palanivel



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34.Surbedeen
35.K.Balaji
36.Smt.Sengoni

.. Respondents

Appeals filed under Order 36 Rule 1 of Original Side Rules,
against the Judgment and decree dated 02.12.2014 made in
C.S.No.564 of 2013 and in A.No.6368 of 2014.

For Appellants .. Mr.T.V.Ramanujam
Senior Counsel for
Mr.P.Sheshadri

For Respondents.. Ms. P.T.Asha
for Mr.Krishna Prasath

J U D G M E N T

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

In view of what we have observed in order dated 07.03.2016,
learned counsel for the respondents has obtained instructions
and the respondent present in Court states that the suit
pending before the District Court, Tuticorin, has not attained
finality and it is still pending.

2. It is, thus, agreed that in so far as the impugned order
is concerned, considering that the property is jointly owned and
not inherited property of the family, the same be set aside and
suit be restored to its original number.

The Original Side Appeal accordingly stands allowed, leaving
the parties to bear their own costs.

Sd/-
Assistant Registrar(CS VI)

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Sub Assistant Registrar

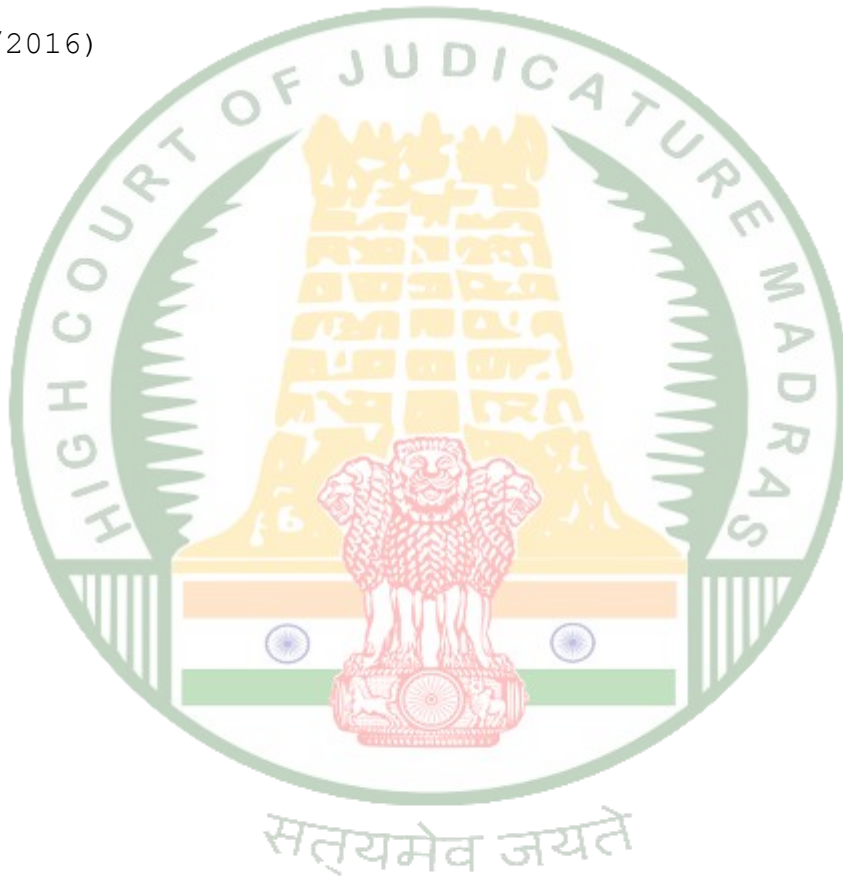
To

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

+1cc to Mr.P.Seshadri, Advocate Sr.15460

O.S.A.No.256 of 2015

lrs (CO)
srg (23/03/2016)



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