

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2016

CORAM

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

O.S.A.No.121 of 2016
and CMP.No.7806 of 2016

- 1.Shanbagavalli
- 2.R.Ganga Bai
- 3.Meera Bai
- 4.S.Dakshayani
- 5.C.M.Kumaran
- 6.A.Shanthakumari
- 7.Sarasa
- 8.Pavithra
- 9.Prem
- 10.P.Karuppasamy
- 11.C.Lakshmi
- 12.S.Umarani
- 13.K.M.Mala
- 14.J.Vijayalakshmi
- 15.K.Poorani
- 16.Santha
- 17.N.Rani

... Appellants/Defendants 1, 3, 6 to
8, 11 to 17, 19, 21 to 25.

versus

K.P. Arumukham (since deceased)

- 1.J.Uma Devi
- 2.R.S.Lalitha
- 3.K.P.Sevaraj
- 4.P.Kalyani Ammal
- 5.S.Sasikala
- 6.P.Muthukumar
- 7.N.P.Gopi
- 8.J.Sathesh
- 9.V.Rajendiran
- 10.L.Meera Bai
- 11.S.V.Palani

B. Arumugam Chettiar (Since deceased)
S. Suseela (Since deceased)
12.A.Thara

13.A.Jaichitra Devi
14.A.Vijayalakshmi
15.A.Kumaran
16.A.Senthil
17.S.Srinivasan
18.S.Sreedhar
19.S.Indira
20.T.Dhanalakshmi
21.S.Lokanayagi
22.A.Ramesh
23.A.Kumaran
24.A.Karthigeyan
C. Loganathan (since deceased)
25.R.Deivanayagi
26.T.Neelambal
27.Usha Rani
28.M.Padmavathi
29.V.Ravichandran
30.C.L.Viswanathan
31.T.J.Somasundaram
32.A.Lakshmi
33.A.Asha
34.A.S.Palani Chettiar
35.S.Ramalingam
36.T.A.Rajeswari
37.T.A.Baskar
38.T.A.Indira
39.T.A.Srinivasan
40.Vijayalakshmi
41.M.T.Umashankar
42.Mrs.Neela ... Respondents

Appeal filed under Order 36 Rule I of Original Side Rules r/w Clause 15 of Letters Patent, against the Order and Decretal Order dated 01.03.2016 made in A.No.908 of 2016 in C.S.No.877 of 2006, on the file of this Court.

For Appellant ... Mr.AR.L.Sundaresan
Senior Counsel
for K.Venkataraman

J U D G M E N T

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

After some arguments, learned Senior Counsel for the appellant, on instruction, does not press the appeal, but submits that the trial of the suit be expedited as the plaintiff has produced PW-1 as witness, while they have only one witness.

2. We agree that considering the suit is ten years old, the parties are aged and there are only two witnesses to be examined, the learned Master will endeavour to conclude the evidence within a period of three months from the next date fixed before the learned Master, so that the suit thereafter be placed before the court for fixing the date for final hearing.

3. The appeal accordingly stands dismissed as not pressed on the aforesaid terms, leaving the parties to bear their own costs. Consequently, C.M.P.No.7806 of 2016 is closed.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

ksr

To

The Sub Assistant Registrar
(Original side)
High Court, Madras
(Posting the matter for evidence)

1 cc to Mr.K. Venkataraman, Advocate, Sr. 27658

O.S.A.No.121 of 2016

KSJ (CO)
kk 19/5

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