

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

S.A.No.580 of 2011

and

M.P.No.1 of 2011

1. P.Jayakumar

2. Central Higher Secondary School,  
Rep. by its Secretary/Correspondent,  
A.Nagore Village and Post,  
Pollachi Taluk, Tirupur District.

Appellants

..

Vs.

1. P.Rathinasamy

P.Natarajan (died)  
G.Krishnasamy (died)  
S.P.Shanmugham (died)

2. S.K.Nachimuthu

3. Thiruvalluvar Tamil Kazhagam  
A.Nagore, a Society registered under the Societies Act  
(S.No.16 of 1947)  
Represented by its President,  
K.Thirunavukkarasu, having its Registered Office at  
A.Nagore Village and Post,  
Pollachi Taluk.

4. K.Thirunavukkarasu

K.Palanisamy (died)

5. R.K.Ramasamy

6. The District Registrar of Societies,  
Perumanallur Road, Tiruppur.

7. Dr.P.Ramasamy

8. R.Sridhar

9. R.Premkumar

10. S.Chinnasamy

11. C.Sivamoorthy

12. R.Prabhakaran

13. R.Kulandaivadivel

14. R.K.Gandhikumar

15. K.P.Kuppurajkumar

16. T.Kumarasamy

17. K.Vijayakumar

18. P.Gopala Krishnan

19. V.Nagappan

20. D.Damodarasamy

21. M.Kathirvel

22. S.Venkatachalam

.. Respondents

Second Appeal filed under Section 100 of the Code of Civil Procedure as against the judgment and decree dated 21.03.2011 in A.S.No.25 of 2010 on the file of the Subordinate Court, Pollachi, against the judgment and decree dated 29.04.2010 in O.S.No.525 of 2004 on the file of the District Munsif Court, Pollachi.

For Appellants : Mr.V.Sanjeevi

For Respondents : Mr.P.A.Raahul for R-1 (caveator)

### JUDGMENT

Learned counsel for the appellant submitted that the first and second

respondents died and despite time being given by this Court, he could not take steps to bring the other members of the Society on record as parties to the proceedings. Hence, the Second Appeal is dismissed as against the respondents 1 and 2. No Costs. The Miscellaneous Petition is closed.

2. List the Second Appeal in the usual course for hearing as against the other respondents.

12-06-2017

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Copy to

1. The Subordinate Judge, Pollachi.
2. The District Munsif, Pollachi.
3. The Section Officer, V.R. Section, High Court, Madras.
4. The District Registrar of Societies, Perumanallur Road, Tiruppur.

S. VAIDYANATHAN, J

cs/sts

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