



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 17.11.2017
CORAM :
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WEB COPY

C.M.A. (MD) No.335 of 2015

1.Radhamma
2.Prasannakumari

... Appellants

Vs.

1. The Executive Officer,
Incorporated and Unincorporated
Devasoms,
Suchindram, Kanyakumari District and
Correspondent and Member in the
College Committee of Sree Devi Kumari
Women's College, Kuzhithurai.
2. The Principal Ex-officio Member in the
College Committee of Sree Devi Kumari
Women's College, Kuzhithurai.
- Gopalan (Died)
- 3.Leela Gangadharan
- 4.Krishna Prasad
- 5.Kanchana Sudha
6. The Commissioner,
Hindu Religious and Charitable
Endowment (Administration) Department,
Madras and President of the College
Committee of Sree Devi Kumari
Women's College, Kuzhithurai.
7. The Deputy Commissioner,
Hindu Religious and Charitable Endowment
(Administration) Department,
Madras and President of the College
Committee of Sree Devi Kumari
Women's College, Kuzhithurai.
8. Sarojini Nadarajan,
Syndicate Member, Madurai University
and Principal, S.F.R.College, Sivakasi
and Member representing the Madurai
University in the College Coimmittee of
Sree Devi Kumari Women's College,
Kuzhithurai.

.. Respondents



Prayer : This Civil Miscellaneous Appeal is filed under Order 43 Rule 1 of C.P.C., to set aside the fair and decretal order dated 07.12.2012 passed in I.A.No.24 of 2012 in A.S.No.85 of 2003 on the file of Camp Court Judge at Kuzhithurai, II Additional Subordinate Judge, Nagercoil.

For Appellants : M/s.J.Anandhavalli
For Respondents : Mr.H.Thayumanaswamy
for RR1 and 2
RR5 and 7 given up
No appearance for RR6 and 7

JUDGMENT

The learned counsel appearing for the appellants states that during the pendency of this civil miscellaneous appeal, A.S.No.85 of 2003 itself has been disposed of. The matter has been remitted to the file of the trial Court. Therefore, nothing survives for further adjudication in this civil miscellaneous appeal, in view of the disposal of the first appeal itself. It is however made clear that the appellants herein are at liberty to file an application for impleading themselves in the pending suit. The trial Court will decide the said I.A., if so filed, in accordance with law and uninfluenced by the order dated 07.12.2012 passed in I.A.No.24 of 2012 in A.S.No.85 of 2003 on the file of Camp Court Judge at Kuzhithurai, II Additional Subordinate Judge, Nagercoil.

2.This civil miscellaneous appeal is accordingly disposed of.
No costs.

Sd/-
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Judge(Camp Court) Kuzhithurai,
II Additional Subordinate Judge, Nagercoil.
2. The Record Keeper,VR Section,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/s.J.Anandhavalli,Advocate sr.No.88013

ARUL

VB/SV/MMS/SAR1/29/11/2017/2P/4C