



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.M.S.A(MD)Nos.6 to 13 of 2017

and

C.M.P(MD)Nos.2897 to 2904 of 2017

C.M.S.A(MD)No.6 of 2017:-

Nagarathinammal

.. Appellant/Appellant/Petitioner/
Third Party/Obstructor

-Vs-

1. Pitchaimuthu Pillai and Anjalai Ammal Trust,
by its Managing Trustee,
Dhanapalan,
38, Attukara Street,
Palakarai, Trichy.

2.Kanagamani.

...Respondents/Respondent/Petitioners/
Respondents

Prayer in C.M.S.A(MD)No.6 of 2017:- Civil Miscellaneous Second Appeal filed under Order 21 Rule 57 r/w Section 100 of Civil Procedure Code against the order5 passed in C.M.A.No.06 of 2008, dated 4.11.2013, on the file of the I Additional Sub-Court, Trichy, confirming the order made in E.A.No.552 of 2005 in E.P.No.719 of 2004 in R.C.O.P.No.282 of 2000, dated 22.8.2007, on the file of the Ist Additional District Munsif Court,Trichy.

CMSA(MD) No.7 of 2017:

NAGARATHINAMMAL

... PETITIONER

-Vs-

1 PICHAIMUTHU PILLAI & ANJALAI
AMMAL TRUST BY ITS MANAGING TRUSTEE
DHANAPALAN, 38, ATTUKARA ST,PALAKARAI, TRICHY.

2 PONNAR

... RESPONDENTS

Prayer in CMSA(MD) No.7 of 2017:

To set aside the order and decreetal order passed in CMA.No.07 of 2008 dated 04/11/2013 on the file of 1st Additional Sub Court, Trichy confirming the order in EA.No.136 of 2005 in EP.No.720 of 2004 in RCOP.No.254 of 2000 dated 22/08/2007 on the file of 1st Additional District Munsif Court, Trichy and allow the appeal.

**CMSA(MD) No.8 of 2017:**

NAGARATHINAMMAL

... PETITIONER

-Vs-

1 PICHAIMUTHU PILLAI & ANJALAI
AMMAL TRUST BY ITS MANAGING TRUSTEE
DHANAPALAN, 38, ATTUKARA ST, PALAKARAI, TRICHY.

2 C.KRISHNAN

... RESPONDENTS

Prayer in CMSA(MD) No.8 of 2017:

To set aside the order and decreetal order passed in CMA.No.08 of 2008 dated 04/11/2013 on the file of 1st Additional Sub Court, Trichy, confirming the order in EA.No.553 of 2005 in EP.No.718 of 2004 in RCOP.No.250 of 2000 dated 22/08/2007 on the file of 1st Additional District Munsif Court, Trichy and allow the appeal.

CMSA(MD) No.9 of 2017:

NAGARATHINAMMAL

... PETITIONER

-Vs-

1 PICHAIMUTHU PILLAI & ANJALAI
AMMAL TRUST BY ITS MANAGING TRUSTEE
DHANAPALAN, 38, ATTUKARA ST, PALAKARAI, TRICHY.

2 M.SENTHIL

... RESPONDENTS

Prayer in CMSA(MD) No.9 of 2017:

To set aside the order and decreetal order passed in CMA.No.56 of 2012 dated 04/11/2013 on the file of 1st Additional Sub Court, Trichy confirming the order in EA.No.1004 of 2011 in EP.No.404 of 2007 in RCOP.No.258 of 2000 dated 18/09/2012 on the file of 1st Additional District Munsif Court, Trichy and allow the appeal.

CMSA(MD) No.10 of 2017:

NAGARATHINAMMAL

... PETITIONER

-Vs-

1 PICHAIMUTHU PILLAI & ANJALAI
AMMAL TRUST BY ITS MANAGING TRUSTEE
DHANAPALAN, 38, ATTUKARA ST, PALAKARAI, TRICHY.

2 RAMU AMMAL @ RAMAMURTHAM

... RESPONDENTS

**Prayer in CMSA(MD) No.10 of 2017:**

To set aside the order and decreetal order passed in CMA.No.57 of 2012 dated 04/11/2013 on the file of 1st Additional Sub Court, Trichy, confirming the order in EA.No.1008 of 2011 in EP.No.412 of 2007 in RCOP.No.314 of 2000 dated 18/09/2012 on the file of 1st Additional District Munsif Court, Trichy and allow the appeal.

CMSA(MD) No.11 of 2017:

NAGARATHINAMMAL

... PETITIONER

-Vs-

1 PICHAIMUTHU PILLAI & ANJALAI
AMMAL TRUST BY ITS MANAGING TRUSTEE
DHANAPALAN, 38, ATTUKARA ST, PALAKARAI, TRICHY.

2 RAMAIAH SERVAI

... RESPONDENTS

Prayer in CMSA(MD) No.11 of 2017:

To set aside the order and decreetal order passed in CMA.No.58 of 2012 dated 04/11/2013 on the file of 1st Additional Sub Court, Trichy confirming the order in EA.No.1007 of 2011 in EP.NO.411 of 2007 in RCOP.NO.298 of 2000 dated 18/09/2012 on the file of 1st Additional District Munsif Court, Trichy and allow the appeal.

CMSA(MD) No.12 of 2017:

NAGARATHINAMMAL

... PETITIONER

-Vs-

1 PICHAIMUTHU PILLAI & ANJALAI
AMMAL TRUST BY ITS MANAGING TRUSTEE
DHANAPALAN, 38, ATTUKARA ST, PALAKARAI, TRICHY.

2 MARKANDAYAN

3 VASAVI

4 VEERALAKSHMI

... RESPONDENT

Prayer in CMSA(MD) No.12 of 2017:

To set aside the order and decreetal order passed in C.M.A.No.59 of 2012 dated 4.11.2013 on the file of 1st Additional Sub Court, Trichy confirming the order in E.A.No.1006 of 2011 in E.P.No.406 of 2007 in R.C.O.P.No.286 of 2000 dated 18.9.2012 on the file of 1st Additional District Munsif Court, Trichy and allow the appeal .



CMSA(MD) No.13 of 2017:

NAGARATHINAMMAL

... PETITIONER

-Vs-

1 PICHAIMUTHU PILLAI & ANJALAI
AMMAL TRUST BY ITS MANAGING TRUSTEE
DHANAPALAN, 38, ATTUKARA ST, PALAKARAI, TRICHY.

2 SELVAM
S/O.LATE PANCHAVARNATHAMMAL

... RESPONDENTS

Prayer in CMSA(MD) No.13 of 2017:

To set aside the order and decreetal order passed in C.M.A.No.60 of 2012 dated 4.11.2013 on the file of 1st Additional Sub Court, Trichy confirming the order in E.A.No.1005 of 2011 in E.P.No.405 of 2007 in R.C.O.P.No.262 of 2000 dated 18.9.2012 on the file of 1st Additional District Munsif Court, Trichy and allow the appeal .

For Appellant :Mr.T.S.R.Venkatarmana
(in all C.M.S.As)

For Respondent-1 :Mr.M.S.Vinoth
(in all C.M.S.As)

COMMON JUDGMENT

When these cases were listed on 28.04.2017, the learned counsel for the appellant reports ' no instruction' and hence, the Registry is directed to send notice to the appellant. Pursuant to the said order, notice has been sent by the Registry and it is served on 8.5.2017 itself. Despite service of notice and printing of the name in in the cause-list, the appellant has not chosen to appear either in person or through her counsel, duly instructed.

2.Hence, all these Civil Miscellaneous Second Appeals are dismissed for default. Consequently, connected Miscellaneous Petitions are dismissed. No costs.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

<https://hcservices.ecourts.gov.in/hcservices/>

Sub Assistant Registrar



To

1. The Ist Additional Sub-Judge,
Trichy.

2. The Ist Additional District Munsif,
Trichy.

Copy to

1. The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

VSN

VB/RSK/SAR4/21.06.2017/5P/4C

**C.M.S.A(MD) Nos.6 to 13 of 2017
and
C.M.P(MD) Nos.2897 to 2904 of 2017**

05.06.2017