



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Thursday, the Twentieth day of September Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice C.V.KARTHIKEYAN

WEB COPY

CMP(MD) No.9916 of 2017

IN

SA No.653 of 1999

P.MARIAPPAN

... PETITIONER/ 1st APPELLANT

Vs

1 SADAGOPA RAMANUJAM

2 MATHIAPUREESWARAR SWAMY KOIL,
REP.BY ITS HEREDITARY TRUSTEE,
PARAKALAKOTTAI VILLAGE, PATTUKKOTTAI TALUK,
THANJAVUR DISTRICT.

3 R.M.S.MEYYAPPAN (DIED)
REP.BY LRS

4 THE EXECUTIVE OFFICER
ARULMIGHU MADHYAPUREESWARASWAMY TEMPLE,
PARAKALAKOTTAI VILLAGE, PATTUKKOTTAI TALUK,
THANJAVUR DISTRICT.

5 M.THANGAVADIVEL

6 M.BAGAVANDOSS

... RESPONDENTS/ RESPONDENTS

7 M.RAJATHI AMMAL

8 S.SHENBAGAM

9 A.MARICHELVAM

10 P.KALADEVI

11 M.SIVAYOGHAM

... RESPONDENTS 7 TO 11/
PROPOSED RESPONDENTS 7 TO 11/
L.Rs OF THE DEEASED 3rd RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to bring on record the respondents 7 to 11 herein as respondents 7 to 11 in the above second appeal as the legal representatives of the deceased 3rd respondent.

PRAYER IN SA No.653 of 1999:

To prefer this memorandum of grounds of second appeal against the judgment and decree dated 01.02.1999 and made in AS NO.31 of 1998 on the file of Subordinate Court, Pattukottai, reversing the judgment and decree dated 27.04.1998 and made in O.S.No.345 of 1992 on the file of District Munsif Court, Pattukkottai.



ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.P.THAGARAJAN, Advocate for the petitioner, the court made the following order:-

CMP(MD) No.9916 of 2017 had been filed to record the death of third respondent in the Second appeal. The third respondent R.M.S. Meyyappan died pending the proceedings. His two sons M.Thangavadivel and M.Bagavandoss are already on record as respondents-5 & 6. However, now it is sought to implead his wife and four daughters as legal representatives.

2. Heard the learned counsel for the respondents who also confirmed the fact that as legal representatives they would have a right to continue defending the Second appeal. Owing to those facts, this application is allowed.

3. Office is directed to record the death of R.M.S. Meyyappan/third respondent in S.A. No.653 of 1999 and also bring on record as his other legal representatives apart from respondents-5 & 6, the proposed respondents-7 to 11 in the memorandum of grounds of appeal.

4. The learned counsel for the appellant is directed to furnish amended grounds of appeal to the learned counsel for the respondents.

sd/-
20/09/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE SUBORDINATE JUDGE, PATTUKOTTAI.

2 THE DISTRICT MUNSIF, PATTUKKOTTAI.

ORDER
IN
CMP(MD) No.9916 of 2017
IN
SA No.653 of 1999
Date :20/09/2018

MS/VR-MMS/SAR-2/27.09.2018/2P.3C