



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

Tuesday, the Twenty Fourth day of November Two Thousand and Twenty

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.GOVINDARAJ

AS(MD). No.12 of 2012

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AS(MD) No.55 of 2012

AS (MD) No.12 of 2012

ARULMIGU THANDAYUTHAPANI SWAMI
THIRUKOVIL THROUGH ITS JOINT ,
COMMISSIONER / EXECUTIVE OFFICER
PALANI ... Appellant / 2nd Defendants

Vs

- 1 V. RAJESH
S/O. T. VADAMALAI CHETTY, DOOR NO. 11/A,,
PLOT NO. 11, PRESTIGE APARTMENTS, RONALS,
ROAD, CANTONMENT, TRICHY TOWN, TRICHY,
DISTRICT..
- 2 V.RAMYA,D/O.T.VADAMALAI CHETTY
DOOR NO. 3, BLOCK NO. (KU) APOORVA PLOTS,,
NEAR THAI MOOGAMBIGAI DENTAL MEDICAL,
COLLEGE, GANGAI AMMAN NAGAR, KOYAM, CHENNAI,
107..
- 3 V. SHALINI
D/O. T. VADAMALAI CHETTY, DOOR NO. 2-A, PARK,
LANE APARTMENTS, 19/9, RAMANATHAN STREET,,
KILPAUK, CHENNAI 600 010. ... 1st to 3rd Respondent /
Plaintiff
- 4 M/S. ROPEWAY RESORTS (P) LTD.
THROUGH ITS MANAGING DIRECTOR A.K. CHINDHRA,,
NO. 8, MULLAN STREET, KOLKATTA 700 020..
- 5 M/S.NATIONAL INSURANCE COMPANY,
LIMITED, THROUGH ITS DIVISIONAL MANAGER,,
VIGNESWARA BUILDING, NEAR OVER BRIDGE,,
PUDUKOTTAI ROAD, TRICHY 620 020 ... 4th & 5th Respondents /
Defendants 3 & 4



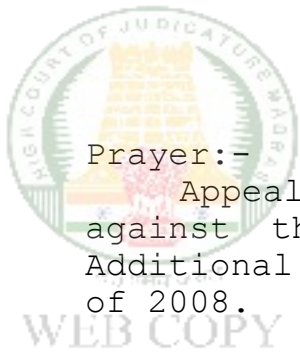
6 HINDU RELIGIOUS & CHARITABLE
ENDOWMENT BOARD, THROUGH ITS COMMISSIONER,,
119, MAHATMA GANDHI ROAD, NUNGAMBAKKAM,,
CHENNAI 600 034.. ... 6th Respondent /
1st Defendants

AS(MD) No.55 OF 2012

NATIONAL INSURANCE COMPANY,
LIMITED BY ITS DIVISIONAL MANAGER ,
VIGNESWARA BUILDING NEAR OVER BRIDGE 7 ,
PUDUKKOTTAI ROAD TIRUCHY - 620 020 ... Appellant / 4th Defendant

Vs

- 1 V. RAJESH
S/O. (LATE) T. VADAMALAI CHETTY, PLOT NO. 11,,
DOOR NO. 11A, PRESTIGE APARTMENTS, REYNOLDS,
ROAD, CANTONMENTS, TIRUCHY TOWN, TIRUCHY,
DISTRICT..
- 2 V. RAMYA
D/O. (LATE) T. VADAMALAI CHETTY, BLOCK - , DOOR,
NO. 3, APOORVA FLATS, (NEAR THAI MOOGAMBIGAI,
DENTAL MEDICAL COLLEGE, GANGAIAMMAN NAGAR,,
KOYAM, CHENNAI-107..
- 3 V. SALINI
D/O. (LATE) T. VADAMALAI CHETTY, DOOR NO. 2A,,
PARKLANE APARTMENTS, 19/9, RAMANATHAN,
STREET, KILPAUK, CHENNAI - 600 010 ... 1st to 3rd Respondents /
Plaintiffs
- 4 THE HINDU RELIGIOUS CHARITBA
LE, ENDOWMENT DEPARTMENT, BY ITS,
COMMISSIONER, 119, MAHATMA GANDHI ROAD,,
NUNGAMBAKKAM, CHENNAI - 600 034
- 5 ARULMIGU DHANDAYUTHAPANI
SWAMI THIRUKOIL, BY ITS JOINT COMMISSIONER,
EXECUTIVE OFFICER, PALANI - 624 601
- 6 M/S. ROPEWAY RESORTS PRIVATE
LIMITED, THROUGH ITS MANAGING DIRECTOR A.K.,
KINDHARA, NO. 8, MULLEN STREET,
KOLKATA - 700 020 ... 4th 6th Respondents /
1st to 3rd Defendant



Prayer:-

Appeal Suits are filed under Section 96 of the of C.P.C., against the judgment and decree dated 22.09.2011 made by the Additional District Judge, Fast Track Court, Dindigul in O.S. No.65 of 2008.

DECREE:-

These Appeal Suits are coming on for hearing on this date, upon perusing the grounds of Appeal, the judgment and decree of the the Court of First Instance and the material papers in the Suit and upon hearing the arguments of MR.K.SEKAR, Advocate for the Appellant in A.S.(MD) No.12 of 2012 and fifth respondent in A.S. (MD) No.55 of 2012 and of MR.S.SRINIVASA RAGHAVAN, Advocate for the fifth respondent in A.S.(MD) No.12 of 2012 and Advocate for Appellant in A.S.(MD) No.55 of 2012, and Mr.N.Anandakumar, Advocate for first to third respondent in both the Appeal Suits and Mr.R.Nanadakumar, Advocate for fourth respondent in A.S.(MD) No.12 of 2012 and Advocate for sixth respondent in A.S.(MD) No.55 of 2012 and of Mr.J.Gunaseelan Muthiah, Additional Government Pleader for fourth respondent in A.S.(MD) No.55 of 2012, that the Insurance Company has already remitted the appropriate amount to the respective suit, this Court, while disposing off the Appeal Suit, doth order and decree as follows:-

- 1) That the Judgement and Decree, dated 22.09.2011 made by the Additional District Judge, Fast Track Court, Dindigul, in O.S. No.65 of 2008, be and is hereby confirmed.
- 2) That the Insurance company be and hereby is directed to deposit interest at the rate of 9 % p.a. from the date of Suit till 02.07.2012, i.e. The date on which they deposited their share of compensation before trial court, within a period of four weeks from the date of receipt of the Judgment.
- 3) That three months time is granted to the Temple for depositing the share amount of compensation to be deposited by M/s.Ropeway Resorts Pvt Ltd., along with accrued interest @ 9% p.a. from the date of receipt of a copy of the judgment.
- 4) That the temple is entitled to recover the amount paid by them from the M/s.Ropeway Resorts Pvt Ltd.,
- 5) That there be no costs in these Appeals.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



To

The Additional District Judge, Fast Track Court, Dindigul

Copy to:

The Section Officer,
V.R. Section,

Madurai Bench of Madras High Court, Madurai - 2 Copies

+2 ccs to M/s.S.Srinivasa Raghavan, Advocate in SR No.22796 & 22803

+1 cc to M/s.R.Nanadakumar, Advocate in SR No.22798

ORDER DATED : 24/11/2020

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DECREE

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AS(MD) . No.12 of 2012

&

AS(MD) No.55 of 2012

Nature of Decree:-
Disposing the Appeal Suits
preferred
against the judgment and
decree of the Additional
District Judge, Fast Track
Court, Dindigul in O.S.
No.65 of 2008 etc., as
stated within.

KMK(CO)

TR(09.06.2021) 4P 7C