



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Thursday the Twenty First day of January
Two Thousand and Twenty one

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CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

CMA Nos.804, 805 and 830 of 2005

Venkatamma

.. Appellant in CMA Nos.804&805/2005/2nd respondent in
AS.No.13/2002 and 1st Respondent No.AS.No.18/02/2nd
Defendant in OS

1.Muniraj ..1st respondent in AS.17/02/3rd Defendant in OS
2.Nagaraj ..2nd respondent in AS.17/02/4th Defendant in OS
3.Venkatamma ..5th respondent in AS.17/02/8th Defendant in OS
4.Aswathamma ..14th respondent in AS.17/02/18th Defendant in OS
5.Somaiah ..16th respondent in AS.17/02/20th Defendant in OS

vs.

1.Mohammed Aasif Ali
..Appellant in AS 13 and 9th Respondent in AS 18/6th Defendant
2.Ramachandrappa
..3rd respondent in AS 13 and 2nd respondent in As 18 and 3rd
defendant.
3.Ramakrishnappa
..4th respondent in AS 13 and 3rd respondent in As 18/4th
plaintiff
4.Bagiyamma
..5th respondent in AS 13 and 4th respondent in As 18/5th
plaintiff
5.Pappamma
..6th respondent in AS 13 and plaintiff in As 18 and 1st
defendant.
6.C.Krishnappa
..7th respondent in 13 and 5th respondent in 18 and 2nd
defendant.
7.Kesappa
..8th respondent in 13 and 6th respondent in 18 and 3rd
defendant.
8.Venkataramanappa
..9th respondent in 13 and 7th respondent in 18 and 4th
defendant.



9.Chandiramma

..10th respondent in 13 and 8th respondent in 18 and 5th defendant.

..Respondents 1 to 9 in CMA 804/2005

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1.Pappamma

.. 6th respondent in AS 13/02 and Appellant in AS No.18/02 and 1st defendant

2.Ramachandrappa

..3rd respondent in 13 and 2nd respondent in As 18 and 3rd appellant

3.Ramakrishnappa

..4th respondent in 13 and 3rd respondent in As 18 and 4th appellant

4.Bagiyamma

..5th respondent in 13 and 4th respondent in 18 and 5th appellant

5.C.Krishnappa

..7th respondent in 13 and 5th respondent in 18 and 2nd defendant

6.Kesappa

..8th respondent in 13 and 6th respondent in 18 and 3rd defendant

7.Venkataramanappa

..9th respondent in 13 and 7th respondent and 4th defendant

8.Chandiramma

..10th respondent in 13 and 8th respondent in 18/5th defendant

9.Mohammed Aasif Ali

.. Appellant in AS 13 and 9th respondent in 18 and 6th defendant

..(Respondents 1 to 9 in CMA 805/05)

1.Pappamma .. Appellant in AS 17/02 and Plaintiff in OS

2.Ramappa

.. 3rd respondent in AS 17/02 and 6th defendant in OS No.165/83

3.Krishnappa

.. 4th respondent in AS 17 and 7th defendant

4.Oppalamma

.. 6th respondent and 10th defendant

5.Ramaiya

..7th respondent and 11th defendant

6.Chinnapidida

..8th respondent and 12th defendant

7.Parvathamma

..9th respondent 13th defendant

8.Ramachandrappa

..10th respondent 14th defendant

9.Ramakrishnappa

..11th respondent and 15th defendant

10.Bagiyamma

..12th respondent and 16th defendant

11.Lakshamma

..13th respondent and 17th defendant

12.Chandirudu

..15th respondent and 19th defendant

.. Respondents 1 to 12 in CMA 830/2005



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Prayer : Appeal against the Order of the Subordinate Court, Hosur in AS Nos.13, 17 and 18 of 2002 dated 31.12.2003 in reversing the judgment and decree dated 20.11.2001 made in O.S.No.332 of 1991 & No.165/1983 on the file of the District Munsif Court, Hosur.

Order : These petitions coming on for hearing on this day upon perusing the petition of Appeal, the order of the Lower Court material paper in this case and upon hearing the arguments of Mr.V.Raghavachari, Advocate for the Appellants in both CMAs and Mr.S.Saravanakumar, for Mr.M.Sudhakar, for Respondents-1 & 9 in all CMAs and Mr.D.Thirunavukkarasu, counsel for Respondents 5 & 6 and None appeared either in person or by an advocate for the Respondents 2 to 4, 7 & 8, this Court while allowing these Civil Miscellaneous appeal has ordered as follows:-

1. The Judgment as decree dated 31.12.2003 made in A.S.Nos.13, 17 and 18 of 2002 on the file of the Subordinate Court, Hosur, be as hereby as set aside the Subordinate Court, Hosur, restore the Appeal Suits as proceed to dispose of the cases within a period of six months from the date of receipt of copy of this order in the light of the observations as directions contained in the judgment herein and

2. That there be no costs in these appeals.

Sd/-

Assistant Registrar(CS-I)

//True Copy//

Sub Assistant Registrar

Svn

To

1. The Subordinate Judge,
Subordinate Court,
Hosur.

2. The District Munsif,
District Munsif Court,
Hosur.

+2 ccs to Mr.V.Ragavachari, Advocate Sr.NO.3454, 3455



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DATED : 21.01.2021

DECREE :

C.M.A.Nos.804, 805 and 830 of 2005

Allowing these Civil Miscellaneous Appeal preferred against the judgment and decree dated 31.12.2003 made in AS Nos.13, 17 and 18 of 2002 on the file of the Subordinate Court, Hosur reversing the judgment and decree dated 20.11.2001 made in O.S.No.332 of 1991 & No.165/1983 on the file of the District Munsif Court, Hosur etc., as stated within.

RSV (CO)
K.RK. (16.07.2021)