



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

Thursday, the Eighteenth day of February Two Thousand and Twenty One
PRESENT

The Hon`ble Mr. Justice N.SATHISH KUMAR
AS(MD). No.39 of 2007

WEB COPY

KIMJI PATEL

... Appellant/12th Defendant

Vs

1. THE IDOL OF SRI.SAMAYAPURAM
MARIAMMAN S.KANNANOOR MANNACHANALLUR TALUK
REP. BY ITS EXECUTIVE OFFICER
DEVASTHANAM OFFICER
S.KANNANOOR MANNACHANALLUR TALUK
TRICHY. ... 1st Respondent/Plaintiff
2. THE IDOL OF SRI.DHANDAYUTHAPANISAMY PALANI
REP. BY ITS EXECUTIVE OFFICER
DEVASTHANAM OFFICE
PALANI - DINDIGUL DISTRICT.
3. THE IDOL OF SRI.ANGAYEE AMMAN LALGUDI
REP. BY ITS TRUSTEE
HAVING HIS OFFICE AT DEVASTHANAM
OFFICE AT LALGUDI.
4. THE IDOL OF SRI.ALANGAMUNNESWARAR
ALANGANATHAPURAM REP. BY ITS TRUSTEES
HAVING HIS OFFICE AT ALANGANATHAPURAM DHARANALLUR
TRICHY-8 (EX-PARTE)
5. M.M.NAGARAJAN
S/O.MUNIAPILLAI NO.96 10TH CROSS
THILLAINAGAR TRICHY-18.
6. M.KRISHNAMOORTHY
7. RAVICHANDRAN
8. LAKSHMANAN
9. DR.MANOCHARAN (EX-PARTE)
10. RAJMOHAN
11. MOHANDOSS (EX-PARTE) ... Respondents 2 to 11
Defendants 1 to 10
12. A.PRABHU
13. SEKAR
14. JOSEPH (EX-PARTE)
15. AMARAVATHI SUPER MARKET
REGD. UNDER CO-OPERATIVE SOCIETYS ACT
REP.BY ITS SECRETARY (EX-PARTE)
16. DR.SOORYAMOORTHY



17. SRINIVASAN
18. NAGARAJAN
19. DHARMARAJ
20. DR.V.M.GNANAVEL
21. S.RAMACHANDRAN
22. MUNIAPPAN

... Respondents 12 to 22/
Defendants 13 to 23

Prayer :-This Appeal filed U/s 96 of the Code of Civil Procedure praying to set aside the Judgement and decree dated 18.11.2005 in OS.No.128/2004 on the file of the 1st Additional District Judge (PCR), Tiruchirapalli

DECREE: This Appeal coming on for hearing on this day. Upon perusing the grounds of Appeal, the order of the Lower Court and the material papers in the Appeal and upon hearing the arguments of Mr.K.P.S. Palanivelrajan, Advocate for the Appellant and of Mr.R.Devaraj , Advocate for the Respondents 1 & 2, Mr.S.Ramakrishnan Advocate for Mr.K.S.Vamsikhan, Advocate for 5th Respondent, No appearance for the Respondents 6,12,13, 16 to 19 & 21 either in person or through an Advocate, Respondents 7,8, 10, 20 & 22 Dismissed vide order of this Court dated 04.09.2017, Respondents 4,9,11, 14 & 15 notice dispensed with (Vide E.B)and this Court, doth order and decree as follows:

1.That the Judgement and decree dated 18.11.2005 in OS.No.128/2004 on the file of the First Additional District Judge (PCR), Tiruchirapalli be and hereby is confirmed and the appeal is dismissed with cost;

(2) that the Appellant / 12th Defendant do pay a sum of Rs.10/- (Rupees Ten Only) to the first respondent being the cost of the Appeal Suit (Cost Memo Not Filed)

AS (MD).39 of 2007
memorandum of cases

Appellants/Petitioners()Costs.

Stamp for Vakalatnama 10.00

Advocate's fee -----

Translation Printing/Typing Charges -----

To be paid by the Appellant/Petitioner
(to the Respondents)

10.00

By the Respondent



DESCRIPTION OF PROPERTY

Tiruchirappalli District and Taluk, Joint III Sub District Ariyamangalam Village, Iyan Punjai S.F.No.210/1A extent 0.17 cents S.F. No.210/1C extent 0.68 cents in this property bounded on north by Thanjavur Main road; East by vacant site belongs to Balakrishna Chettiar south by vacant site belongs to Nataraja pillai and west by North south street; within this east west 120 feet north south 200 feet in this east west 120 feet, north south 30 feet and the construction shops numbering 10 bearing door Nos.21 to 25 and 27 to 31 property situate opposite to S.I. T.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The I Additional District Judge (PCR),
Tiruchirapalli.

Copy to:

The Record Keeper,) 2 copies)
V.R. Section,
Madurai Bench of Madras High Court, Madurai

+2 CC to Mr.R.DEVARAJ, Advocate SR-6033 & 6034 dated 18/02/2021)

ORDER DATED : 18/02/2021

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DECREE

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AS(MD). No.39 of 2007

Nature of Decree Dismissing the AS(MD). No.39 of 2007 preferred to set aside the Judgement and decree dated 18.11.2005 in OS.No.128/2004 on the file of the 1st Additional District Judge (PCR), Tiruchirapalli.

VB (17.03.2021) 3P 6C

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