



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Thursday, the Twenty Seventh day of January Two Thousand Twenty Two

WEB COPY

PRESENT:

The Hon`ble Mrs.Justice S.ANANTHI

A.S (MD) No.139 of 2009

VELLAPANDIAN @ THANGA ARUMUGASAMY NAYAKKAR

... Appellant/1st Defendant.

Vs

1 DURAIAPPAN (DIED)

2 VELLIMALAI PANDIYAN @ KAMAYASAMY NAYAKKAR

3 SIVASHANMUGA KAMAYA NAICKER

4 RAVICHANDRAN

5 RAJAMMAL

6 VIDYAVATHI

7 SRIMATHI

...R2 to R7/D2 to D7

8 MARRIKANPANDIAN (DIED)

9 RAMARAJA

10 LAKSHMURAJA

11 ANANTHARAJA (DIED)

12 INBAVALLI

13 KALARANI

14 THILAGARANI,

15 M.VIMALA,

16 M.NIRMALA



17 M.SAKKESH

....R8 to R 17.

(RR8 TO RR10 AND R12, R13 ARE BROUGHT ON RECORD AS
LRS OF DECEASED R1, VIDE COURT ORDER DATED 09/03/2020)

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(RR14 TO RR17 ARE BROUGHT ON RECORD AS
LRS OF DECEASED R8, VIDE COURT ORDER DATED 08/04/2021)

Appeal Suit filed under Section 96 of C.P.C., against the judgment and decree dated 29/12/2005 in O.S. No.248 of 2004 on the file of the Additional District and Sessions Judge (Fast Track Court), Dindigul.

DECREE:- This Appeal Suit is coming on for hearing on Thursday, the twenty third day of December two thousand and twenty one, upon perusing the grounds of Appeal, the judgment and decree of the lower court and the material records of the suit and upon hearing the arguments of Mr.H.Lakshmi Shankar, Advocate for the Appellants and of Mr.D.P.Sundararaj, Advocate for the Respondent Nos.9, 10, 12 to 17 and having stood over for consideration till this date, this Court while allowing the Appeal, doth order and decree as follows:

(1)that, the judgment and decree dated 29/12/2005 made in O.S. No.248 of 2004 on the file of the Additional District and Sessions Judge (Fast Track Court), Dindigul, be and hereby is set aside and

(2)that there be no costs in this Appeal Suit.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Enclosed herewith Copy of the schedule of property

TO

The Additional District and Sessions Judge
(Fast Track Court), Dindigul.

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

+2 CC to M/s.D.P.SUNDARARAJ, Advocate (SR-2720 dated 28/01/2022)



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+1 CC to M/s.H.LAKSHMI SHANKAR, Advocate (SR-2767 dated
28/01/2022)

ORDER DATED : 27/01/2022

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DECREE

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A.S.(MD)No.139 of 2009

Allowing the Appeal Suit preferred
against the judgment and decree dated
29/12/2005 in O.S. No.248 of 2004 on the
file of the Additional District and
Sessions Judge (Fast Track Court),
Dindigul and etc., as stated within.

RD(16.02.2022) 3P 7C