BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2022

CORAM :

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

A.S(MD)Nos.137 to 148 of 2010
and
M.P(MD)Nos.2(12 petitions) and 3(7 petitions) of 2010

1. Tuticorin Port Trust,
through its Chairman,
Tuticorin-4.

2. The Government of India,
through its Ministry of Surface Transport,
through its Secretary,
New Delhi. ... Appellants

vs.

S.Reni Missier	... R1 in A.S.137/2010
Manjula	... R1 in A.S.138/2010
Alangaram	... R1 in A.S.139/2010
R.Rexi	... R1 in A.S.140/2010
Chandra	... R1 in A.S.141/2010
J.Mary Baby	... R1 in A.S.142/2010
Delwar	... R1 in A.S.143/2010
Antony Silvester	... R1 in A.S.144/2010
Jebamalai	... R1 in A.S.145/2010

Ansili ... R1 in A.S.146/2010

Nowroji ... R1 in A.S.147/2010

N.Vinnarasi ... R1 in A.S.148/2010

The State of Tamilnadu,
Through its Tuticorin District Collector,
Tuticorin. ... 2nd Respondent in all Appeals

Appeal Suits filed under Section 96 read with Order 41 Rule 1 of the Civil Procedure Code, against the judgment and decree dated 30.04.2010 made in O.S.Nos.57 to 68 of 2006 on the file of the Additional District Court, Fast Track Court No.II, Tuticorin.

For Appellants : Mr.P.S.Subbaraman for Mr.P.S.Sundaram
For R1 : Mr.R.T.Arivukumar for Mr.R.Manimaran

COMMON JUDGMENT

The 1st respondent in all the cases, as plaintiffs, filed 12 separate suits to declare them as pauper and to pass a decree directing the appellants and the 2nd respondent who are the defendants in the suits, to pay the compensation amount of Rs.10 Lakhs to the 1st respondent in all the appeals along with costs of the suits. The trial Court, after trial, by separate judgments and decrees, all dated

30.04.2010, partly allowed all the suits directing the defendants to pay the compensation to the plaintiffs in all the suits either jointly or severally along with 7.5% interest per annum from the date of the plaints till the date of payment, within a period of one month and disallowed the costs of the suit. Aggrieved by the said judgments and decrees, the defendants 1 and 2, as appellants, have filed these appeals.

2. Brief averments of the plaint in all the suits are as follows:-

The sailing vessel M.S.V.Maria Anto Raj sailed from Tuticorin to Colombo with cargo of Potatoes and Chillies and other goods on 11.09.1999 from the B Zone of the old port within the Tuticorin Corporation along with 12 crew members. While on its way to Colombo, the sea poured into the vessel due to heavy wind and water at about 15.00 hours on the same day. Therefore, the crew members immediately contacted the Tuticorin Port Trust, VHF Station, which is otherwise called the Pilot Station and sent several messages of SOS (Save Our Souls) requesting the Port Trust to send tugs to rescue them. Though the said SOS messages were repeatedly sent between 03.00 and 05.00 p.m, on the same day, there was no response. The VHF Station failed to transmit the SOS messages on an emergency basis to the administration of the 1st appellant/1st defendant. Though the message was received by another sailing vessel M.S.V.M.N.G 430 ''Sea Queen'' right from 03.00 to 05.00 p.m., due to its own engine trouble, it was unable to venture to rescue operations. Even then, the said sailing vessel M.S.V.M.N.G 430 independently contacted the pilot station at about 16.30 hours and passed on the message that MSV.TTN 43 was sinking and the crew members were continuously sending SOS Appeals, but, on account of the failure of the VHF Station of the 1st appellant/1st defendant, the SOS messages did not reach the office of the Port Trust in time and there was a huge delay in sending rescue tugs to save the crew members. Later, there was a search operation undertaken by the authorities of the Coast Guard, Fisheries Department, Customs Department and Revenue Department, but it was not fruitful. Except the body of the crew namely, Joseph Antonyraj which was traced down on 20.09.1999 and that fact was confirmed vide letter dated 22.06.2000 given by the Coast Guard Station, Tuticorin, Harbour Estate, other crew members either in person or body were not secured. Despite receipt of the legal notice sent by the plaintiffs to the appellants, neither the compensation was paid nor detailed reply was sent. Hence, the above suits.

3. Brief averments in the written statements are as follows:-

The defendants filed a written statement stating that the suits are not maintainable. Further, the Tuticorin Port Trust is consisting of two wings namely, Zone A and Zone B. Zone B is a minor Port carrying on operation of small sailing vessels. The Tuticorin Port Trust is collecting charges as per the notification issued by the Central Government in the Official Gazette. The allegation that on receipt of payment, the Port has to provide all kinds of facilities for entry and exit of the vessels, is denied as false, whereas, the Port is collecting prescribed charges only for berthing of sailing vessels, storage of cargo in the sheds and no payment is received by the Port for providing other services, such as, safety of the vessels, including the persons who involved in the trade etc., as alleged by the plaintiffs. The allegation that the failure on the part of the 1st appellant/1st defendant caused the accident and death of 12 crew members is stoutly denied. The sailing vessel sank at sea at about 45-40 nautical miles off the Tuticorin Coast on 11.09.1999. Since the accident place was not within the Port limit of Tuticorin Port Trust, there was no failure on the part of the 1st appellant/1st defendant authorities in providing rescue operations in time as alleged in the plaints and no SOS messages were received on the date of accident by them. Hence, the question of negligence and deficiency on the part of the VHF Station did not arise and therefore, there is no need to pay any compensation as demanded by the plaintiffs. As regards the seaworthiness of the sailing vessel which was involved in the accident, no document was produced. Further, the Port is no way held responsible either to take preventive measures on any accidents likely to take place at sea or to arrange rescue and to pay compensation for the victims if any accident takes place. The suits have been filed 3½ years after the date of accident and therefore, they are barred by limitation. Thus, the suits are liable to be dismissed.

4. Based on the above pleadings, the trial Court framed the following issues:-

(i) Whether there was a failure on the part of the authorities of the 1st appellant Port Trust in rescuing the crew members?

(ii) Whether the suits are barred by limitation?

(iii) Whether the plaintiffs are entitled to compensation?

(iv) To what other reliefs, the plaintiffs are entitled to?

5. In order to substantiate the case, on the side of the plaintiffs, 4 witnesses were examined as PW1 to PW4 and 10 documents were marked as Exs.A1 to A10. On the side of the defendants, 4 witnesses were examined as DW1 to DW4 and 3 series of documents were marked as Exs.B1 to B3.

6. The trial Court, considering the pleadings, oral and documentary evidence, by separate judgments and decrees, all dated 30.04.2010, partly allowed all the suits as stated above. Aggrieved by the said judgments and decrees, the defendants 1 and 2 have filed these appeals.

7. The learned counsel for the appellants would submit that while the accident had taken place on 11.09.1999, the legal notice was sent on 20.03.2003, after a period of 3 years and 6 months and 9 days. As per

Section 120 of the Major Port Trust Act, legal notice has to be given within one month of the accrual of the cause of action and within six months, the suits have to be filed, therefore, the suits are not maintainable. The trial Court erred in fixing the limitation period as three years, whereas under Article 82 of the Limitation Act, the suit has to be filed within two years from the date of death and not three years. The plaintiffs have filed the suits as pauper suits, whereas, seven persons have already received the compensation from the Fisheries Insurance at Rs.1,50,000/- each, and five persons have received Rs. 1,00,000/- each, before the District Consumer Redressal Form, Tuticorin, and therefore, the trial Court ought not to have awarded compensation which amounts to double compensation.

8. The learned counsel for the appellants would further submit that the suits cannot be filed before the Civil Courts at Tuticorin and only the Original Side of the Madras High Court exercising Admiralty Jurisdiction alone can exercise the right where the claim arises in an accident on the international waters. Further, under Section 351 of the Merchant Shipping Act, in case where the whole vessel is lost, a notice has to be given by the owner of the vessel to the Central Government,

but in this case, no such notice has been served. Ex.A5 letter dated 12.09.2000 of the 2nd appellant has been marked, without examining any official of the Indian Coast Guard, as such, it cannot stand as proof and it has no legal value. Further, non reply to the legal notice of the plaintiffs does not amount to admission of the averments of the plaints, by the defendants. The learned counsel would further contend that though the appellants marked Exs.B1 to B3-Log Books and examined the persons who recorded the messages therein, the trial Court erroneously held on a wrong premise that there would have been a separate log book to record the messages from the sailing vessels and the same is not produced. Further, the 1st respondent in all the appeals approached various legal forums including the Co-operative Fishermen Insurance Federation and the District Consumer Redressal Forum, Tuticorin, for the same relief and therefore, it would amount to abuse of process of the Court. Further, all the legal representatives of the deceased crew members have not been impleaded in the suits, as such, the suits are bad for non joinder of necessary parties. The trial Court failed to note that the territorial jurisdiction of the Indian Coast stops within 12 nautical miles from the sea shelf of the Indian shores and the accident had taken place even according to the plaintiffs at 20 miles off the Coast of Tuticorin and even if any message had been received, it is difficult to reach the accident spot, as no speed boats are available with any Port in India.

9. The learned counsel for the appellants would also contend that in between Tuticorin and Colombo, a number of ships and sailing vessels ply and no other ship picked up VHF (Very High Frequency) regarding SOS messages from the subject vessel. Further, VHC is only for the benefit of the ports' internal movement of piolotage from anchorage to the berth and any service for the vessels is a voluntary act and hence, the log book records the ship movement alone. The owner of the sailing vessel involved in the accident has not even insured for the safety of the crew members and that there is no privity of contract between the appellants and the 1st respondent in all the appeals. The Mercantile Marine Department and the Dock Safety Department are separate bodies and do not come under the aegis of the Port Trust. It is further submitted that there are no allegations in the plaint against the Union of India either for contractual liability or for tortuous liability or for constitutional liability and no relief can be granted in the absence of any

pleadings. The trial Court failed to see that no document has been produced as to the age of victims, age of the claimants and the salary particulars of crew members, except a bald income certificate from the vessel owner that too obtained after the date of accident. Thus, the trial Court failed to appreciate the oral and documentary evidence in proper perspective. Therefore, the learned counsel would pray for setting aside the judgments and decrees passed by the trial Court. In support of his contentions, the learned counsel relied on the following judgments of the Hon'ble Supreme Court:-

(i) Binani Zinc Limited vs. Kerala State Electricity Board and others (Civil Appeal No.3492 of 2006 dated 19.03.2009)

(ii) Sabeeha Faikage and others vs. Union of India (UOI) and others (Civil Appeal No.505 of 2006 dated 18.10.2012).

10. The learned counsel for the 1st respondent in all the appeals would submit that unless the 1st appellant has recognised the subject vessel with identity card with a fixed period of duration and registration with charges payable, the vessel cannot enter and exit the Port and sail in the sea. Further, the vessels using Tuticorin Port are given certain

facilities which includes port signal, control station, telephone connection to the vessels and round the clock VHF connection. However, on the fateful day, though the crew members of the sailing vessel M.S.V.Maria Anto Raj sent several SOS messages repeatedly between 03.00 and 05.00 p.m, on 11.09.1999, requesting the Port Trust to send tugs to rescue them, the VHF Station failed to transmit the SOS messages on an emergency basis to the administration of the 1st appellant/1st defendant and due to this serious deficiency, there was a big blow in the rescue operations, which ultimately resulted in the death of 12 crew members and except the body of one of the 12 crew members namely, Joseph Antonyraj, other crew members could not be traced out either in person or body. Though the appellants had examined DW2-signal bosun, DW3-signal man and DW4-wireless operator who were working at the time of accident in the Port, and they had stated that no SOS messages were received by them regarding the accident and therefore, they did not take any rescue operations, the trial Court finding from the cross examination of DW2 that there are separate log books for making entry of messages received from the sailing vessel and ferry and such log book has not been produced, held that there was a negligence and deficiency on the part of the VHF Station of the 1st appellant Port Trust in making rescue operations immediately, despite the SOS messages which resulted in the death of 12 crew members and therefore, the appellants are liable to pay compensation to the 1st respondent in all the appeals.

11. As regards the limitation, the learned counsel would submit that though the accident had occurred on 11.09.1999, except the body of one of the crews namely, Joseph Antonyraj which was traced down on 20.09.1999, the bodies of other crew members could not be traced out. Thereafter, the 2nd appellant issued Ex.A5 letter on 12.09.2000, whereby, all the 12 crew members were declared dead. The learned counsel would further contend that as regards the limitation period, the Fatal Accidents Act cited by the appellants is not applicable, as the claimants have invoked the common law remedy by filing the civil suits and therefore, the limitation period is only three years and within three years from 12.09.2000, suits have been filed on 16.06.2003 well within the period of limitation, as such, the suits are not barred by limitation as contended by the appellants. Though the 1st respondent in all the appeals marked the income certificates of the respective deceased crew members, in the

absence of production of salary certificate of the deceased persons, the trial Court fixed the monthly income of the deceased persons at Rs. 3,000/- notionally and after deducting 1/3rd towards their personal expenses, applied multiplier according to their respective ages and awarded compensation in all the suits which cannot be said to be excessive. The allegation that the 1st respondent in all the cases approached various legal forums including the Co-operative Fishermen Insurance Federation and the District Consumer Redressal Forum, Tuticorin, for the same relief and therefore, the trial Court ought not to have entertained the civil suits as it is an abuse of process of the Court, is stoutly denied stating that the 1st respondent have only invoked the common law remedy for the torts committed by the appellants and even the order of the District Consumer Redressal Forum is against the personal accident policy taken by the deceased persons and that has not been complied with in full. The trial Court rightly appreciated the oral and documentary evidence and awarded compensation which cannot be said to be excessive, whereas it is meagre. Thus, all the appeals are liable to be dismissed.

12. Heard both sides and perused the records.

13. According to the 1st respondent in all the appeals, while the sailing vessel on its way to Colombo, the sea poured into the vessel due to heavy wind and water at about 15.00 hours on the same day, the crew members immediately contacted the Tuticorin Port Trust, VHF Station and sent several messages of SOS (Save Our Souls) requesting the Port Trust to send tugs to rescue them, but the VHF Station failed to transmit the SOS messages on an emergency basis to the administration of the 1st appellant/1st defendant. Though the message was received by another sailing vessel M.S.V.M.N.G 430 ''Sea Queen'' right from 03.00 to 05.00 p.m., due to its own engine trouble, it was unable to venture to rescue operations, however, it had independently contacted the pilot station at about 16.30 hours and passed on the message that MSV.TTN 43 was sinking and the crew members were continuously sending SOS Appeals, but on account of the failure of VHF Station of the 1st appellant/1st defendant, the SOS messages did not reach the office of the Port Trust in time and there was a huge delay in sending rescue tugs to save the crew resulting in the death of the 12 crew members. Thus, the appellants are liable to pay compensation.

14. According to the appellants, no such SOS messages were received by the VHF Station of the Tuticorin Port Trust as alleged in the plaints. If such messages were received, it would have been entered in the log books and thereafter bringing it to the knowledge of the Deputy Conservator of the Port Trust, appropriate rescue operations would have been taken. The accident has occurred due to natural calamity which is an act of god and therefore, the appellants are not liable to pay compensation, but the trial Court on erroneous appreciation of oral and documentary evidence, decreed the suits and directed the appellants to pay compensation.

15. It is the case of the 1st respondent in all the appeals, VHF facility was available in the vessel involved in the accident. The Port Trust is under obligation to make available round the clock VHF communication facility and rescue tugs and in case, any vessel falls into sea due to bad weather or other peril, they should call for help by sending SOS messages to the Port Trust. That is the reason why every sailing vessel is compulsorily required to be fit itself with VHF communication facility. The appellants had stated that only after

satisfying the requirements and following the procedure, the Port Trust will allow the vessel/ferry into the sea. The sailing of the vessel M.S.V.Maria Anto Raj on 11.09.1999 from Tuticorin to Colombo along with 12 crew members, is admitted by the appellants. If the subject vessel did not have VHF facility or improper VHF facility, the 1st appellant/Port Trust would not have allowed to sail the subject vessel into the sea and therefore, it is clear that the subject vessel M.S.V.Maria Anto Raj sailed on 11.09.1999, had complied all the requirements and procedure of the 1st appellant for sailing in the sea. While on its way to Colombo, the sea poured into the subject vessel due to heavy wind and water at about 15.00 hours on 11.09.1999. Immediately, the crew members contacted the Tuticorin Port Trust, VHF Station and sent several messages of SOS requesting the Port Trust to send tugs to rescue them. Though the said SOS messages were repeatedly sent between 03.00 and 05.00 p.m, on the same day, there was no response.

16. On the side of the claimants, PW4 has been examined to prove the receipt of SOS messages by the 1st appellant Port Trust. PW4 deposed that he returned from Colombo to Tuticorin in sailing vessel

M.S.V.M.N.G 430 ''Sea Queen''. Though he received the said SOS messages right from 03.00 to 05.00 p.m., due to engine trouble of his vessel, he was unable to venture to rescue operations and therefore, from his sailing vessel M.S.V.M.N.G 430, PW4 independently contacted the pilot station at about 16.30 hours and passed on the message that MSV.TTN 43 was sinking and the crew members were continuously sending SOS Appeals, but due to the failure of VHF Station of the 1st appellant/1st defendant, the SOS messages did not reach the office of the Port Trust in time and there was a huge delay in sending rescue tugs resulting in the death of the 12 crew members. Thus, the evidence of PW4 makes it clear that the 1st respondent in all the cases have proved that SOS messages were sent to the VHF Station of the 1st appellant Port Trust which was heard by PW4 and despite PW4 independently contacted the VHF Station, no immediate rescue operation was conducted by the 1st appellant. Though the appellants marked Exs.B1 to B3-Log Books and examined the persons who recorded the messages therein, the trial Court finding from the evidence of DW2 that there are separate log books for making entry of messages received from the sailing vessel and ferry and such log book has not been produced, held that there was a failure on the part of the Port Trust authorities in making rescue operations immediately, despite SOS messages resulting in the death of 12 crew members, and therefore, came to the conclusion that the appellants are jointly and severally liable to pay compensation to the dependents of the deceased. Hence, the appellants cannot escape from their liability stating that they have no legal obligation to pay the compensation to the dependents of the deceased crew members.

17. Though the accident had occurred on 11.09.1999, except the body of the crew namely, Joseph Antonyraj which was traced down on 20.09.1999, the bodies of other crew members were not traceable. Though the appellants contended that the suits cannot be filed before the Civil Courts at Tuticorin and only the Original Side of the Madras High Court exercising Admiralty Jurisdiction alone can exercise the right where the claim arises in an accident on the international waters, the suits were filed only invoking the common law remedy before the civil courts. Therefore, the period of limitation is only three years. As per Ex.A5 letter dated 12.09.2000 issued by the 2nd appellant, all the 12 crew members were declared dead and within three years from that date,

suits have been filed filed on 16.06.2003 well within the period of limitation of three years, and therefore, the suits are not barred by limitation.

18. As regards the quantum of compensation, though the 1st respondent in all the appeals marked the income certificates of the deceased crew members, the trial Court finding that no salary certificate was produced, fixed the monthly income of the deceased persons as Rs.3,000/- notionally in all the cases. After deducting 1/3rd towards the personal expenses of the deceased crew members and after applying appropriate multiplier according to their respective ages, awarded compensation for loss of income and for loss of love and affection with 7.5% interest from the date of plaints till the date of payment. The details of the compensation are as follows:-

1) O.S.No.57/2006 = Rs.1,92,000/- for loss of income and Rs. 10,000/- towards loss of love and affection altogether Rs.2,02,000/-.

2) O.S.No.58/2006 = Rs.3,60,000/- for loss of income, Rs.10,000/- towards loss of love and affection and Rs.2,500/- towards funeral expenses, altogether Rs.3,72,500/-.

3) O.S.No.59/2006 = Rs.1,20,000/- for loss of income and Rs. 10,000/- towards loss of love and affection altogether Rs.1,30,000/-.

4) O.S.No.60/2006 = Rs.4,08,000/- for loss of income and Rs. 10,000/- towards loss of love and affection altogether Rs.4,18,000/-.

5) O.S.No.61/2006 = Rs.3,12,000/- for loss of income and Rs. 10,000/- towards loss of love and affection altogether Rs.3,22,000/-.

6) O.S.No.62/2006 = Rs.1,92,000/- for loss of income and Rs. 10,000/- towards loss of love and affection altogether Rs.2,02,000/-.

7) O.S.No.63/2006 = Rs.1,20,000/- for loss of income and Rs. 10,000/- towards loss of love and affection altogether Rs.1,30,000/-.

8) O.S.No.64/2006 = Rs.1,20,000/- for loss of income and Rs. 10,000/- towards loss of love and affection altogether Rs.1,30,000/-.

9) O.S.No.65/2006 = Rs.1,92,000/- for loss of income and Rs. 10,000/- towards loss of love and affection altogether Rs.2,02,000/-.

10) O.S.No.66/2006 = Rs.2,64,000/- for loss of income and Rs. 10,000/- towards loss of love and affection altogether Rs.2,74,000/-.

11) O.S.No.67/2006 = Rs.4,32,000/- for loss of income and Rs. 10,000/- towards loss of love and affection altogether Rs.4,42,000/-.

12) O.S.No.68/2006 = Rs.4,32,000/- for loss of income and Rs. 10,000/- towards loss of love and affection altogether Rs.4,42,000/-.

19. Pending appeal, the appellants 1 and 2 have taken out an application in M.P(MD)No.3 of 2010 in A.S(MD)Nos.139, 140, 142, 144, 145, 147 and 148 of 2010, to receive the documents filed along with those petitions as additional evidence. The details of the proposed documents sought to be marked as additional evidence, are as follows:-

1) Letter dated 23.08.2010 by the Deputy Director, Fisheries to the District Collector, Tuticorin, based on the letter by the Deputy Chairman, Tuticorin Port Trust, as to the compensation received by the deceased families marking a copy to the Deputy Chairman, Tuticorin Port Trust, along with the Annexures regarding the compensations paid.

2) List of the deceased crew and their legal heirs given by the Deputy Director, Fisheries.

3) Letter dated 21.11.2003 by the Director of Fisheries to S.Alangaram Fernando (A.S.139/2010) to receive Rs.35,000/-.

4) Acknowledgment by S.Alangaram Fernando (A.S.139/2010) for Rs.35,000/- received.

5) Common Order dated 22.11.2001 passed by the Consumer Court in C.O.P.Nos.47, 51, 53, 56 and 57 of 2001 in respect of the 1st respondent in A.S.Nos.147, 145, 142, 148 and 139 of 2010, granting compensation of Rs.1,00,000/- each.

20. Perusal of the common order dated 22.11.2001 passed by the District Consumer Disputes Redressal Forum, Tuticorin, in C.O.P.Nos.47, 51, 53, 56 and 57 of 2001 shows that though the Consumer Court had directed to pay the complainants therein, the insurance amount with 12% interest, as against the personal accident policy taken by the deceased persons, that will not stand in the way of the dependents of the deceased persons to invoke the common law remedy. Section 3 of the Consumer Protection Act, 1986 seeks to provide remedy under the provisions of this Act in addition to other remedies provided under other Acts, unless there is a clear bar. The remedy availed by some of the dependents of the deceased persons before the District Consumer Redressal Forum, Tuticorin, is only an additional remedy and it will not bar them to file the civil suits and get compensation. Further, except the acknowledgment filed for disbursement of the amount to the 1st

respondent in A.S.139/2010/S.Alangaram Fernando, no other acknowledgment has been filed for disbursement of amount to other claimants. The other proposed documents are only official correspondence pursuant to the order passed by the Consumer Redressal Forum. Thus, the proposed documents are not required to be admitted as additional evidence under Order 41 Rule 27 CPC.

21. As stated supra, the negligence and failure on the part of the VHF Station of the 1st appellant Port Trust resulting in the death of 12 crew members, has been clearly proved by the oral and documentary evidence by the 1st respondents/plaintiffs. Thus, for the negligent act of the employees of the VHF Station of the 1st appellant, the appellants 1 to 3 being the employers, are rightly fastened with the liability to compensation to the dependents of the deceased persons. Thus, the judgments relied on by the learned counsel for the appellants are not applicable to the present facts and circumstances of these cases. Further, fixation of income, computation of compensation and overall quantum of compensation cannot be said to be excessive. On the contra, it is meagre. Loss of life cannot be measured in terms of money,

but however, since the appeals are preferred by the appellants/Government Departments, this Court is not inclined to interfere with the quantum of compensation fixed by the trial Court.

22. This Court as a first appellate Court which is a final Court of fact finding, has to re-appreciate and give independent finding. This Court independently weighing the entire materials and considering the oral and documentary evidence of both the parties and also the judgment of the trial Court, does not find any perversity or good reason to interfere with the judgments and decrees, all dated 30.04.2010 made in O.S.Nos.57 to 68 of 2006 on the file of the Additional District Court, Fast Track Court No.II, Tuticorin. There is no merit in all the appeals.

23. Accordingly, all the Appeal Suits are dismissed. M.P(MD)No.3 of 2010(7 MPs) in A.S(MD)Nos.139, 140, 142, 144, 145, 147 and 148 of 2010 and M.P(MD)No.2 of 2010 (12 Mps) are also dismissed. The parties are directed to bear their own costs.

bala **11.08.2022**

P.VELMURUGAN, J.

bala

Index : Yes / No
Internet : Yes

To

The Additional District Judge,
Fast Track Court No.II,
Tuticorin.

COMMON JUDGMENT MADE IN
A.S(MD)Nos.137 to 148 of 2010
DATED : 11.08.2022