



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

Friday, the Eighth day of April Two Thousand and Twenty Two

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP (MD) No.4255 of 2005
IN
SA (MD) No.570 of 2005

1 JOSEPH STEPHAN (DIED)

2 JOHN BOSCO

3 AMALRAJ

... PETITIONERS/APPELLANTS

(*) 4 J.PETER SURESH

(*) 5 J.MARTIN PAUL RAJ

... PETITIONERS

**(*) PETITIONERS 4 & 5 ARE
BROUGHT ON RECORD AS LRs OF
THE DECEASED 1st PETITIONER
VIDE COURT ORDER 08/04/2022
MADE IN CMP (MD) .277/2022 IN
SA (MD) .No.570/2005**

Vs

1 SAVARIMUTHU (DIED)

2 ANTHONY (DIED)

3 CHINNAPPAN

... RESPONDENTS/RESPONDENTS

4 MARY

5 S.PETER (DIED)

6 S.RANI,

7 S.SOOSAI MARY

8 S.AUGUSTIN

9 S.SAGAYAM



10 S.LAWRENCE

... RESPONDENTS

(RESPONDENTS 4 TO 10 ARE
BROUGHT ON RECORD AS THE LRS
OF DECEASED 1st RESPONDENT,
VIDE COURT ORDER DATED
17.06.2006 MADE IN CMP(MD) .
556/2006 IN SA(MD).570/2005)

11 S.SELETH

12 A.RAYAPPAN (DIED)

13 BENATHRAKKINI

14 A.MARIYAJOSEPH

15 A.FRANCIS XAVIER

16 MELSIA MARY

17 MINOR.JENIFER JASMINE

18 MINOR.DOMINIC SIBIDHERAN

... RESPONDENTS

(MINOR 17th AND 18th RESPONDENTS
ARE REPRESENTED BY THEIR MOTHER
AND NATURAL GUARDIAN 16th
RESPONDENT)

(RESPONDENTS 11 TO 18 ARE
BROUGHT ON RECORD AS LRS OF THE
DECEASED 2nd RESPONDENT VIDE
COURT ORDER DATED 11.01.17 MADE
IN MP(MD)1/2013 IN SA(MD)
570/2005)

19 VELLANGANI

20 PRAVEEN KRISH

21 PIULA

22 WILSON

... RESPONDENTS

(RESPONDENTS 19 TO 22 ARE
BROUGHT ON RECORD AS LRS OF THE
DECEASED 5th RESPONDENT VIDE
COURT ORDER DATED 20.12.2021
MADE IN CMP(MD)No.9753,9754,9756
AND 9757/2021 IN SA(MD) .



23 GABRIEL SAHAYA SELVI

24 MINOR. MARIYA NIVETHITHA

... RESPONDENTS

(MINOR, 24th RESPONDENT IS
REPRESENTED BY HER MOTHER AND
NATURAL GUARDIAN 23rd
RESPONDENT)

(RESPONDENTS 23 AND 24 ARE
BROUGHT ON RECORD AS LRS OF THE
DECEASED 12th RESPONDENT VIDE
COURT ORDER DATED 20.12.2021
MADE IN CMP(MD)
Nos.9753,9754,9756 AND
9757/2021 IN SA(MD) .
No.570/2005)

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to pass an order of temporary injunction till the disposal of the Second Appeal, restraining the respondents/defendants their men, servants and agents from interfering with plaintiffs/petitioner's possession and enjoyment of suit 'A' schedule property and from tampering with and altering the physical features of Suit 'B' schedule property in subject matter in OS.356/2002 on the file of on the file of the Second Additional District Mnsif, Dindigul.

PRAYER IN SA(MD) .No.570 of 2005:

Pleased to set aside the decree and judgement dated 17/11/2004 rendered in A.S.No.161 of 2004 on the file of the Additional Sub Court, Dindigul, reversing the decree and judgement dated 29/11/2002 in O.S.No.356 of 2002 on the file of the Second Additional District Munsif, Dindigul, in so far as it relates to the properties in 'A'and 'B'schedules of the plaint, by allowing the Second Appeal.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.T.R.JEYAPALAM, Advocate for the petitioner, the court made the following order:-

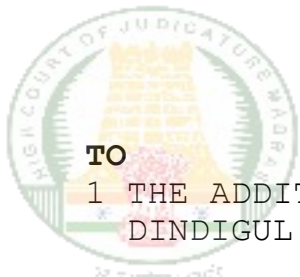
The matter to be decided in this petition and the Second Appeal are the same.

Hence this petition stands closed.

sd/-
08/04/2022

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/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE ADDITIONAL SUBORDINATE JUDGE,
DINDIGUL

2 THE SECOND ADDITIONAL DISTRICT MUNSIF,
DINDIGUL.

ORDER

IN

CMP (MD) No.4255 of 2005

IN

SA (MD) No.570 of 2005

Date :08/04/2022

SA/JM/SAR.2/20.04.2022/4P/3C