



S.A.(MD) Nos.260 & 408 of 2005 &
Cont.P.(MD) No.44 of 2007

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.08.2022

CORAM : JUSTICE N.SESHASAYEE

S.A.(MD) Nos.260 & 408 of 2005
and
C.M.P.(MD) Nos.2309, 3371 & 3524 of 2005
and
Contempt Petition (MD) No.44 of 2007
and
Sub Application (MD) No.1 of 2007

S.A.(MD) No.260 of 2005:

A.G.Sundaramanickam

... Appellant/1st Respondent/
1st Defendant

Vs

1.Umayavel Arumuganathan

... 1st Respondent/Appellant/
1st Plaintiff

2.State of Tamil Nadu,
Rep., by District Collector,
Tuticorin, Tuticorin District.

3.Chief Educational Officer,
Kovilpatti, Tuticorin District.

4.District Educational Officer,
Kovilpatti, Tuticorin District.



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- 5.Kasimuthuveerapandian
- 6.Sabapathy @ Piraisoodumperumal
- 7.K.Muthanandam
- 8.K.Shanmugasundaram
- 9.A.G.Thangapandian
- 10.A.Subramanian
- 11.A.Muthanandam
- 12.A.Shanmugavel
- 13.R.Paramasivam
- 14.Kanagavel
- 15.Kasi Ganapathyperumal
- 16.M.Sudalaimuthu
- 17.Manickavasagam
- 18.Kamatchi
- 19.M.Meenambigai
- 20.R.Dhanalakshmi
- 21.Jayalakshmi
- 22.R.Amaravathi
- 23.Karthiyayini
- 24.Ramalakshmi
- 25.K.Theivanai
- M.Umayalakshmi @ Vijayam
- 27.R.Rajitha Muniammal
- 28.G.Sivakamisundari
- 29.S.Vallimayil Nachiar
- 30.K.Muthuveeraramachandran
- 31.K.Sudalaimbalam

.. Respondents 2 to 31/
Respondents 2 to 15, 17 to 20, 22 to 33/
Defendants 2 to 15, 17 to 20, 22 to 33

- 32.R.U.S.G.Perumal
- 33.Gnanasampandam
- 34.Sundari
- 35.Krishnaveni



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36.Angayarkanni
37.Muthupalanivelrajan
38.Vasantha
39.Muthukamatchi

... Respondents 34 to 39/
Respondents 37 to 42/
LRs of 16th Defendant

Prayer:- Appeal filed under Section 100 of Civil Procedure Code to set aside the judgment and decree dated 21.12.2004 made in A.S.No.20 of 2002 on the file of the Subordinate Court, Kovilpatti in reversing the well considered judgment and decree dated 05.02.2022 made in O.S.No.63 of 1996 on the file of the District Munsif Court, Vilathikulam.

For Appellant	:	Mr.D.Rajendiran
For Respondents	:	Mr.V.Boominathan for R1
	:	Mrs.Christy Theboral Additional Govt. Pleader (CS) for R2 to R4
	:	Ms.Porkodi Kannan for R32 & R33
	:	RR5, 6 to 31 & 34 to 39 – given up

S.A.(MD) No.408 of 2005:

A.G.Sundaramanickam

... Appellant/1st Respondent/
1st Defendant

Vs



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1.R.U.S.G.Perumal
2.Gnanasampandam

... Respondents 1 & 2/
Appellants 1 & 2/Plaintiffs 2 & 3

3.State of Tamil Nadu,
Rep., by District Collector,
Tuticorin, Tuticorin District.

4.Chief Educational Officer,
Tuticorin District.

5.District Educational Officer,
Kovilpatti, Tuticorin District.

... Respondents 3 to 5/
Respondents 2 to 4/
Defendants 2 to 4

6.Kasimuthuveerapandian
7.Sabapathy @ Piraisoodumperumal
8.K.Muthanandam
9.K.Shanmugasundaram
10.A.G.Thangapandian
11.A.Subramanian
12.A.Muthanandam
13.A.Shanmugavel
14.R.Paramasivam
15.Kanagavel
16.Kasi Ganapathyperumal
17.M.Sudalaimuthu
18.Manickavasagam
19.Kamatchi
20.M.Meenambigai
21.R.Dhanalakshmi
22.Jayalakshmi
23.R.Amaravathi



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24.Karthiyayini
25.Ramalakshmi
26.K.Theivanai
27.M.Umayalakshmi @ Vijayam
28.R.Rajitha Muniammal
29.G.Sivakamisundari
30.S.Vallimayil Nachiar
31.K.Muthuveeraramachandran
32.K.Sudalaimbalam

.. Respondents 6 to 32/
Respondents 5 to 15, 17 to 20 & 22 to 33/
Defendants 5 to 15, 17 to 20 & 22 to 33

33.Umayavel Arumuganathan .. 33rd Respondent/35th Respondent/
1st Plaintiff

Prayer:- Appeal filed under Section 100 of Civil Procedure Code to set aside the judgment and decree dated 21.12.2004 made in A.S.No.17 of 2002 on the file of the Subordinate Court, Kovilpatti in reversing the well considered judgment and decree dated 05.02.2022 made in O.S.No.63 of 1996 on the file of the District Munsif Court, Vilathikulam.

For Appellant	:	Mr.R.Devaraj
For Respondents	:	Mr.M.Deivanandam for RR1 & 2
	:	Mrs.Christy Theboral Additional Govt. Pleader (CS) for RR3 to 5
	:	Mr.S.Kadarkarai for RR7, 10, 13, 14, 16, 17, 18 & 26



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: RR6, 8, 15, 19, 25 & 27 – given up

Cont.P.(MD) No.44 of 2007:

A.G.Sundaramanickam

.. Petitioner/Petitioner/Appellant

Vs

1.R.U.S.G.Perumal

2.Ganasampantham

3.P.Davidpaulsingh,
The Chief Educational Officer,
Thoothukudi District.

4.Pradap Keerthi,
The District Educational Officer,
Kovilpatti, Thoothukudi District.

5.Umayavel Arumuganathan

.. Respondents 1 to 5/
Respondents 1, 2, 4, 5 & 33/
Respondents 1, 2, 4, 5 & 33

6.Pothuvan,
The District Elementary Education Officer,
Thoothukudi.

.. 6th Respondent

Prayer: Petition filed under Sections 10 and 12 of Contempt of Courts Act to punish the respondents for the willful disobedience of the orders of this Court dated 03.05.2005 made in C.M.P.(MD) No.3371 of 2005 in S.A.(MD) No.408 of 2005.



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For Petitioner : Mr.R.Devaraj
For Respondents : Mrs.Christy Theboral
Additional Govt. Pleader (CS)
for RR3, 4 & 6
: No appearance for RR1, 2 & 5

COMMON JUDGMENT

The appellant has filed a memo withdrawing both the appeals. The learned counsel for the appellant seeks permission of this Court to withdraw the appeals and has also made an endorsement to that effect. The memo is recorded. Accordingly, the Second Appeals are dismissed as withdrawn. In view of the dismissal of the second appeals, the connected Contempt Petition, which was filed by the petitioner/appellant in the second appeals for an alleged violation of an order of stay of the decree of the Court below, is closed. No costs. Consequently, connected miscellaneous petitions and the sub application are closed.

22.08.2022

Internet: Yes
Index: Yes/No

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N.SESHASAYEE, J.

abr

To

- 1.The District Collector,
Tuticorin, Tuticorin District.
- 2.Chief Educational Officer,
Kovilpatti, Tuticorin District.
- 3.District Educational Officer,
Kovilpatti, Tuticorin District.
- 4.The Subordinate Judge, Kovilpatti.
- 5.The District Munsif, Vilathikulam.
- 6.The Section Officer, VR Section,
Madurai Bench of Madras High Court.

S.A.(MD) Nos.260 & 408 of 2005
& Cont.P.(MD) No.44 of 2007

22.08.2022