



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

Tuesday, the Eighteenth day of October Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice N.SESHASAYEE

C.M.P. (MD) No.4457 of 2022
in
S.A (MD) . No.712 of 2013

PERIYASAMY (DIED)

MURUGAN

...PETITIONER/APPELLAANT

(IMPLEADED AS LR OF THE PLAINTIFF
PERIYASAMY FOR HIMSELF AND AS
REPRESENTATION OF RAJAPALAYAM CHELLAM
NORTH STREET SOUTH STREET PALLAR
SAMUDHAYAM, COMMON FUND AND NORTH
STREET, CENTRAL PART PALLAR SAMUDHAYA
COMMON FUND)

Vs

1. AYYANAR (DIED)

2. THANGAIAH (DIED)

...DESEASED RESPONDENTS 1 & 2

RAMAYA ALIAS RAMASAMY (DIED)

MAYANDI (DIED)

3. OTTAKARAN

(RESPONDENTS 1 TO 3 FOR THEMSELVES AND
REPRESENTING RAJAPALAYAM CHELLAM NORTH
AND SOUTH STREET PALLAR COMMUNITY)

4 CHELLAIAH

5 P. ARUMUGAM

...RESPONDENTS 3 TO 5/RESPONDENTS 3 TO 5

6 RAMAIAH

7 DHARMARAJ

... RESPONDENTS 6 & 7/

SUBSTITUTE RESPONDENTS 1 & 2



Petition filed praying that in the circumstance therein and in the affidavit filed therewith the High Court may be pleased to substitute the name of the respondents 6 and 7 herein in the place of the deceased respondents 1 and 2 in the above second appeal.

PRAYER IN S.A(MD). No.712 of 2013:

Pleased to call for the records relating to the judgment and decree in A.S.No.94/2001 on the file of Principal District Judge, Virudhunagar at Srivilliputhur dated 17.04.2013 modifying the Judgment and decree in O.S.No.74/1990 in the file the Sub Judge, Srivilliputhur dated 28.09.2001 and set aside the same.

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 S.NATARAJAN, Advocate for the petitioner and of M/S.R.SURIYA NARYANAN, Advocate on behalf of the Respondent No.3 and not appeared for the respondent No.4 either in person or through by an advocate, the court made the following order:-

Respondents 1 and 2 are stated to have died and in that place, respondents 6 and 7 are sought to be substituted.

2. There is no need to substitute respondents 6 and 7 and they may contest the appeal in their respective rank. Accordingly, this petition is closed.

sd/-

18/10/2022

/ TRUE COPY /

/10/2022

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

abr/ssb

TO

THE PRINCIPAL DISTRICT JUDGE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.

ORDER

IN

C.M.P. (MD) No.4457 of 2022
in

S.A(MD). No.712 of 2013

Date :18/10/2022

RK/SSS/SAR- (28/10/2022) 2P/2C