



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

Thursday, the Twenty Second day of June Two Thousand and Twenty
Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CMP(MD) No.6673 of 2017
IN
SA(MD) No.127 of 2009

1 S.SUBBIAH PILLAI

2 S.SUDALAIMUTHU PILLAI

3 S.MUTHUVEERAPPA PILLAI

... PETITIONERS/APPELLANTS

Vs

1 O.LAKSHMI AMMAL

2 P.PATHIRAKALIAMMAL

3 M.AYYAN PILLAI

4 G.MUTHULAKSHMI

5 M.SENTHIL
(DECEASED 5TH RESPONDENT)

6 M.SIVAPERUMAL

7 S.SUBBULAKSHMI

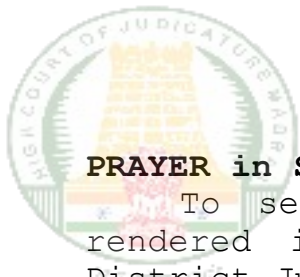
8 S.MURUGAN

9 MINOR S.SIVARAJ

... RESPONDENTS/RESPONDENTS-LRs
OF THE DECEASED 5TH RESPONDENT

(MINOR 9TH RESPONDENT REP. BY NEXT FRIEND
AND NATURAL GUARDIAN HER MOTHER THE 7TH
RESPONDENT)

Petition filed praying that in the circumstances stated
therein and in the affidavit filed therewith the High Court may be
pleased to appoint the 7th respondent herein as the next friend and
natural guardian of the minor 9th respondent in the above Second
Appeal IN SA(MD) No.127 of 2009 on the file of this Honourable Court

**PRAYER in SA(MD) No.127 of 2009:**

To set aside the decree and the judgment dated 24.06.2008 rendered in A.S.No.28 of 2005, on the file of the Additional District Judge cum Fast Track Court No.II, Tuticorin, confirming the decree and the Judgment dated 1.11.2004 rendered in O.S.No.304 of 2000 on the file of the Subordinate Judge, Tuticorin, dismissing the counter claim filed by the appellants 1 and 3, by allowing this Second Appeal and to grant such other relief or reliefs that this Honourable Court may deem fit and proper in the circumstances of the cases.

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.G.ARAVINTHAN, Advocate for the petitioners, the court made the following order:-

This application has been filed to appoint the 7th respondent herein as the next friend and natural guardian of the minor 9th respondent in the above second appeal.

2.At the time of filing this application in the year 2017 his age was mentioned as 16, now he might have attained the majority. Hence, there is no question of appointing the 7th respondent as the next friend and natural guardian of the 9th respondent.

3. In view of the this application is dismissed as infructuous.
sd/-

22/06/2023

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/06/2023

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

am

TO

1 THE ADDITIONAL DISTRICT JUDGE
CUM FAST TRACK COURT NO.II, TUTICORIN.

2 THE SUBORDINATE JUDGE,
TUTICORIN.

ORDER

IN

CMP(MD) No.6673 of 2017

IN

SA(MD) No.127 of 2009

Date :22/06/2023

(2/2)