



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

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

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CMP(MD) Nos.3116 & 3118 of 2023

IN

SA No.2121 of 2002

1. C. SWAMINATHAN (DIED) ...SOLE APPELLANT
2 S. DEVADOSS
3 S. PANEERSELVAM ...2ND & 3RD PETITIONERS/
2ND & 3RD PROPOSED APPELLANTS
Vs

SAINT ANTONYS CHURCH,
MANERI,MEKALATHUR POST,
THOGUR VIA, THANJAVUR TALUK,
THANJAVUR DISTRICT.
REP.BY ITS PARISH PRIEST,
REV.FR.JOSEPH ANTONYRAJ,
S/O.MARIYASOOSAI, ROMAN CATHOLIC
RESIDING AT CHURCH PRECINTS,
MARNERI.

... RESPONDENT/RESPONDENT

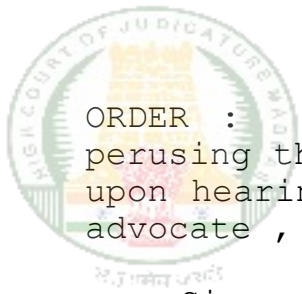
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to set aside the abatement caused due to death of the sole appellant (Swaminathan) in the Second Appeal in S.A. No. 2121/2002 and thus render justice.

Prayer in CMP(MD). 3118/ 2023 :

To bring on record the following persons viz, Devadoss (Son) and Panneerselvam (Son) as the legal heirs of the deceased Sole Appellant (Swaminathan) and rank them as 2nd and 3rd appellants in the above second appeal in S.A.No. 2121/2002.

PRAYER IN S.A.No.2121 of 2002:

Second Appeal to this honble Court against the Judgment and Decree dated 14.03.2002 made in A.S.No.10 of 2002 on the file of the Court of the Principal District Judge, Thanjavur reversing the Judgment and decree dated 05.11.2001 made in O.S.No.90 of 2000 on the file of the Court of the District Munsif, Thiruvaiyaru.



ORDER : This petition coming up for orders on this case, on perusing the petition and the affidavit filed in support thereof and upon hearing the petitioner not appearing either in person or by an advocate, the court made the following order:-

Since this application in CMP(MD)No.3113/2023 was dismissed, hence these applications are also dismissed.

sd/-

02/06/2023

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/06/2023

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

AM
TO

- 1 THE PRINCIPAL DISTRICT JUDGE, THANJAVUR.
- 2 THE DISTRICT MUNSIF, THIRUVAIYARU.

COPY TO

- 1 THE SUB ASSISTANT REGISTRAR(AE),
AE SECTION
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- 2 THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CMP(MD) Nos.3116 & 3118 of 2023
IN
SA No.2121 of 2002
Date :02/06/2023

PKP/CG/SAR- /02.06.2023/ **2P/5C**