



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



Tuesday, the Twenty Fourth day of January Two Thousand
Three

PRESENT

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The Hon`ble Mr.Justice S.SOUNTHAR

SA. No.1783 of 1997

MARUTHANDI KONE (DIED)
(Memo dt.22.11.2011)

... Nil/Appellant /
1st Defendant

1 THANGAMMAL (DIED),
(Memo dt.22.11.2011
recorded vide order dt.13.12.2021)

2 M.MUTHU MARUTHU, (DIED)

3 MUTHUNACHIAR,

4 MUTHU RAKKU,
(CAUSE TITLE ACCEPTED
AS PER THE ORDER DT 11/11/87
in CMP No.12652/87

... Appellants 1 to 4 /
of the deceased
Maruthandi kone/
Appellants 2 to 5

5 PACKIALAKSHMI

6 MURUGANANTHA BOOPATHY

7 MATHAVENDRA MARUTHU

8 MEEMA MANOKARI

... Appellants 5 to 8

(APPELLANTS 5 TO 8 ARE B/R AS LRS OF THE
DECEASED SECOND APPELLANT MADE IN MP.1/13 IN
SA.NO.1783/1997 BY VI.OR.DT.17/11/12 BY MDJ)

Vs

1 SEENIAMMAL, (DIED)

2 SEENI MUTHU (died)

3 SEENI AMMAL (DIED)

(MEMO DATED 02.01.2023 (FILED ON 04.01.2023) IN USR
750 OF 2023 IS RECORDED AS 3RD RESPONDENT
DIED AND THERE IS NO NEED TO BRING HER LRS)



... 1st to 4th Respondents / Plaintiff Defendants

4 NAMBU RAJA

5 SAKKARAI

6 SANGILIKARUPPAN @ CHINNA

7 MARIYAYEE

8 MUTHU RAKKU

9 PALANISAMY, ... 5th to 9th Respondents
(RR- 5 TO 9 ARE BROUGHT ON RECORD AS LRS OF
THE DECD R1 V.O.DT.11.10.11 IN MP.NOS.1 TO
3/09 IN SA.NO.1783/97 BY VPKJ)

10 SHANTHI,

11 SEENISWARI

12 SEENIYAPPAR
(R-10 TO R-12 ARE B/T ON LRS AS THE DECEASED
R-1, VIDE COURT ODR DT.17.11.14 MADE IN
MP1/11 IN SA1783/97 BY MDJ)

13 RAJENDRAN,

14 SEENI KUPPAI,

15 RAJALAKSHMI,

16 SEENIVASAKAM,

17 SEENIKUMAR,

18 SEENI PITCHAI, ... 13th to 18th Respondents

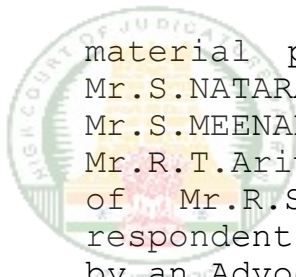
(Respondents 13 to 18 are LRS of the
deceased 2nd respondent vide order dated 20/12/2021
in CMP.(MD)Nos.10076, 10078 and 10080 of 2021 in
S.A.No.1783 of 1997)

Prayer:-

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree dated 31.01.1995 made in A.S. No.113 of 1993 on the file of the District Court, Ramnad against the Judgment and decree dated 30.09.1993 made in O.S. No.373 of 1989 on the file of the District Munsif, Ramanathapuram.

DECREE:-

This Second Appeal coming on for hearing on this date, upon perusing the grounds of Appeal, the judgments and decrees of the Lower Appellate Court and the Court of First Instance and the



material papers in the Suit and upon hearing the arguments of Mr.S.NATARAJN, Advocate for the Appellant and Mr.S.MEENAKSHISUNDARAM, Senior Counsel assisted by Mr.R.T.Arivukumar, Advocate for the fifth to twelfth respondents and of Mr.R.Senthilkumar, Advocate for thirteenth to eighteenth respondents, and fourth respondent not appeared either in person or by an Advocate, this Court doth order and decree as follows:-

1) That the judgment and decree dated 31.01.1995 made in A.S. No.113 of 1993 on the file of the District Court, Ramnad against the Judgment and decree dated 30.09.1993 made in O.S. No.373 of 1989 on the file of the District Munsif, Ramanathapuram be and hereby are confirmed and the Second Appeal is dismissed.

2) That there shall be no order as to costs in this Appeal.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/02/2023

Sub Assistant Registrar(CS)

ABR

To

- 1) The District Judge,
Ramanthapuram
- 2) The District Munsif,
Ramanathapuram.

Copy to:

The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court, Madurai - (2 Copies)

+1 CC to M/s.VIJAYAKUMAR NATARAJAN, Advocate (SR-3901 dated 25/01/2023)

+1 CC to M/s.M.SENGU VIJAY, Advocate (SR-3620 dated 24/01/2023)

+1 CC to M/s.R.SENTHIL KUMAR, Advocate (SR-3749 dated 24/01/2023)



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ORDER DATED : 24/01, 2023

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DECREE

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SA. No.1783 of 1997

Nature of Decree:- Dismissing the Second Appeal preferred against the judgment and decree dated 31.01.1995 passed in A.S. No.113 of 1993 in the file of the District Court, Ramnad against the Judgment and Decree dated 30.09.1993 passed in O.S. No.373 of 1989 on the file of the District Munsif, Ramanathapuram etc., as stated within.

SI (20.02.2023) 4P 8C