



S.A.No.1429 of 2000

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

S.A.No.1429 of 2000

- 1.Ramu
- 2.Lakshmanan
- 3.Manicka Thevar
- 4.Karuppayee Ammal
- 5.Gandhi
- 6.Karmegam

... Appellants/Appellants/
Plaintiffs 1 to 4, 6 & 7

Vs

- 1.Guruvammanl
- 2.Nagammal
- 3.Mari Konar
- 4.Vellaichami Thevar
- 5.Subbiah Thevar
- 6.Ramayee Ammal
- 7.Panchavarnam
- 8.Rakkammal
- 9.Packia Thevar
- 10.Muniyandi Thevar
- 11.Vairamani
- 12.Thondeeswari
- 13.Kathiresan
- 14.Vadivelu
- 15.Karuppiyah

... Respondents/Respondents/
Defendants 2 to 16



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Prayer:- Appeal filed under Section 100 of Civil Procedure Code to set aside the judgment and decree dated 31.01.2000 made in A.S.No.134 of 1998 on the file of the Principal District Court, Ramanathapuram and judgment and decree dated 21.10.1998 made in O.S.No.15 of 1995 on the file of the District Munsif cum Judicial Magistrate's Court, Thiruvadanai.

For Appellants : No appearance

For RR3, 13 & 14 : Mr.B.Sivakumar

For R9 : Mr.R.Sundar

RR1, 2, 4 to 8, 10 to 12 & 15 : Dismissed vide order dated 05.04.2011

J U D G M E N T

There is no representation for the appellants. It is seen from the records that the second appeal is arising out of a suit for partition. The second appeal was already dismissed as against respondents 1, 2, 4 to 8, 10 to 12 and 15 on 05.04.2011. It appears that respondents 1 to 9, 13 and 14 are sharers. When the second appeal was dismissed as against some of the sharers, the whole second appeal has to be dismissed, as the judgment and decree passed by the lower appellate Court had attained finality as against



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some of the sharers by virtue of the orders passed on 05.04.2011. Hence, this Second Appeal is dismissed. However, there shall be no order as to costs.

12.01.2023

NCC : Yes/No
Index: Yes/No
Internet: Yes

abr

To

1. The Principal District Judge,
Ramanathapuram.
2. The District Munsif cum Judicial Magistrate,
Thiruvadanai.
3. The Section Officer, VR Section,
Madurai Bench of Madras High Court,
Madurai.



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