



C.M.A.(MD)No.612 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2023

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

C.M.A.(MD)No.612 of 2019

Jothiammal (Died)

1.Duraisamy Thevar

Silambayee (Died)

2.Rajamani

3.Thangarasu

4.Rani

5.Deepa

6.Geetha

7.Arun

... Appellants

Vs.

1.Kathija Beevi

2.Kabeeria Beevi

3.Sabiya Beevi



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4.Jahuba Nisha

Jahabdeen (Died)

5.Fathima Beevi

6.Jafar

7.Daslima Begam

8.Amanullah

9.Mohammed Meera

10.Mohammed Hanifa

11.Wahab

12.Mumtaj

13.Jarina Begam

14.Ajiza

15.Chidambaram

16.Meiyanaatha Marudhuvar

17.Arif Rawther

18.Nillavar Nisha

19.Nazreen Banu

20.Kadher Mohaideen

21.Chittamma Beevi

22.Vinni @ Lakshmi



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23.Rama Moorthi

24.Indira

25.Rajalakshmi

... Respondents

(Cause title accepted vide order dated 19.11.2009 made in M.P.(MD)No.1 of 2009 in C.M.A.(MD)SR.No.45256 of 2009)

PRAYER: Civil Miscellaneous Appeal filed under Order 43 Rule 1 (V) of C.P.C., to set aside the Judgment in A.S.No.12 of 1996 dated 30.06.2006 on the file of the Sub Judge, Pudukkottai reversing the Judgment and findings of District Munsif Court, Aranthangi in O.S.No.423 of 1986 dated 21.02.1995 so far as remitting the matter to the Trial Court.

For Appellant : No appearance

For Respondents : No appearance

JUDGMENT

When the matter was taken up for hearing on 06.10.2023, there was no representation on behalf of the appellant. Then, the matter was listed on 30.10.2023, under the caption “For Dismissal”, however, on that day, there was no representation on behalf of the appellant. Hence, the matter was directed to be listed on 31.10.2023 under the caption “For Dismissal”. On that day, when the matter was taken up for hearing, there was no



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representation on behalf of the appellant. Hence, the connected Civil Miscellaneous Petitions were dismissed on 31.10.2023 and directed to be listed today i.e., on 28.11.2023. Even today, there is no representation on behalf of the appellant.

2.Hence, this Civil Miscellaneous Appeal is dismissed as Non-prosecution. There shall be no order as to costs.

28.11.2023

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

To

1.The Sub Judge,
Pudukkottai.

2.The District Munsif Court,
Aranthangi.

Copy to

The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.,

Sml

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