



NO.238/9, SOUTH

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

Monday, the Fifteenth day of July Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

C.M.P(MD)Nos.1815 & 1817 of 2024
in
S.A.(MD)Nos.794 and 795 of 2014

1 V.M.SENTHILKUMAR

2 S.RAJAMANICKAM

3 R.THAMILCHELVAM

4 R.MANOCHARAN

... PETITIONERS 1 TO 4/
TO BE IMPEADED AS APPELLANTS 2 TO 5
IN BOTH PETITIONS

Vs

1 KARUPPAYEE

...1ST RESPONDENT/ APPELLANT
IN CMP(MD)No.1815/2024

2 SANKARAN

3 SAGUNTHALA

4 NITHYAKUMAR

5 KIRUBAKARAN

6 THANGARASU



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7 VALARMATHI

8 SATHISH

9 KARUPPAYEE

... RESPONDENTS 2 TO 9/
RESPONDENTS 1 TO 8
IN CMP(MD)No.1815/2024

1 KARUPPAYEE

...1ST RESPONDENT/ APPELLANT
IN CMP(MD)No.1817/2024

2 SAGUNTHALA

3 NITHYAKUMAR

4 KIRUBAKARAN

5 SANKARAN

6 THANGARASU

7 VALARMATHI

8 SATHISH

9 KARUPPAYEE

... RESPONDENTS 2 TO 9/
RESPONDENTS 1 TO 8
IN CMP(MD)No.1817/2024

PRAYER IN C.M.P(MD)No.1815 of 2024

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to implead the petitioners 1 to 4 herein as Appellants 2 to 5 in the above SA(MD) No.794 of 2014 pending on the file of this Honourable Court and thus render justice.



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PRAYER IN S.A.(MD)No.794 of 2014:

To set aside the judgment and decree dated 16.04.2014 made in AS.No.13 of 2013 on the file of the Principal District Judge, Karur confirming the Judgment and Decree dated 21.12.2012 made in O.S.No.153 of 2006 on the file of the Principal Sub-Judge, Karur and allow this second appeal.

Prayer in CMP(MD). 1817/ 2024 :

To implead the petitioners 1 to 4 herein as Appellants 2 to 5 in the above SA (MD) No.795 of 2014 pending on the file of this Honourable Court and thus render justice.

PRAYER IN S.A.(MD)No.795 of 2014:

To set aside the judgment and decree dated 16.04.2014 made in A.S.No.14 of 2013 on the file of the Principal District Judge, Karur confirming Judgment and Decree dated 21.12.2012 made in O.S.No.223 of 2003 on the file of the Principal Sub-Judge, Karur and allow this second appeal.

ORDER : These Civil Miscellaneous petitions coming up for orders on this day, upon perusing the petitions and the affidavit filed in support thereof and upon hearing the arguments of M/S.R.PARANJOTHI, Advocate for M/S.KBS LAW OFFICE, for the petitioners in both cases and of MR.P.THIYAGARAJAN, Advocate for the 2nd Respondent in CMP(MD)No.1815/2024 and 5th respondent in CMP(MD) No.1817/2024 and MR.E.K.KUMARESAN, Advocate for the 4th Respondent in CMP (MD)No.1815/2024 and 3rd Respondent in CMP(MD)No.1817/2024, the court made the following order:-

These petitions are filed to implead the petitioners 1 to 4 herein as appellants 2 to 5 in the above S.A(MD)Nos.794 and 795 of 2014.

2. Heard both sides counsel.

3. On perusal of records, it is seen that already same application was filed before the trial Court seeking same prayer and that petition was dismissed. Now, they filed these applications with same prayer instead of challenging the same.



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4. At this juncture, the learned counsel for the petitioners seek liberty to file necessary application before the trial Court.

5. Considering the facts that already earlier application filed in I.A.No.876 of 2008 in O.S.No.707 of 2004 was dismissed, which has not been challenged, this Court is not inclined to allow these petitions.

6. Accordingly, these Civil Miscellaneous Petitions are dismissed.

sd/-
15/07/2024

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/07/2024
Sub-Assistant Registrar (CS-I/ II/ III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

vsd

TO

1. THE PRINCIPAL DISTRICT JUDGE, KARUR

2. THE PRINCIPAL SUB-JUDGE, KARUR

+2 CC to M/s.M/S.KBS LAW OFFICE, Advocate (SR-8015, 8014[I] dated 16/07/2024)



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ORDER
IN

C.M.P(MD)Nos.1815 & 1817 of 2024

in

S.A.(MD)Nos.794 and 795 of 2014

Date :15/07/2024

RK/VR (25/07/2024) 5P / 5C

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