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

Wednesday, the Thirteenth day of November Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CMP(MD) No.17047 of 2023
in
SA(MD) No.470 of 2013

M.NAGENDRAN ... Petitioner / Appellant

Vs

RAMACHANDRAN(DIED) ... 1st Respondent

1.SUBRAMANIAN

2 PAPPA
W/O.BALUSAMY

RAKKU (DIED)

SETHURAJAN (DIED) ... 4th Respondent
SUBRAMANIAN (DIED)
KRISHNAMOORTHY (DIED) ... 5th Respondent

3 PAPPA
S/O.KATHIRESAN

4 KALAVATHI
5 INDIRANI
6 CHINNAPONNU
7 GOPINATHAN

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KAMATCHIAMMAL(DIED).

8 BALAMURUGAN
9 KALIPANDIAN
10 KAMESWARI,
11 NAGASUNDARAM

GANESAN (DIED)

POOSADURAI (DIED) ... Respondents 15 & 16

12 INIYAMURUGAN
13 RAMACHANDRAN
14 MUTHUKRISHNAN
15 KANNUDURAI
16 RAMAKRISHNAN
17 NAGESWARI
18 LATHA
19 PALAMMAL
20 KAMESHWARI
21 BASKARA PANDIAN,
22 GAJENDRA PANDIAN
23 HARIHARAN
24 REVATHI
25 SANKAR
26 MAHESWARI
27 SELVI
28 VIJAYALATHA
29 SAKTHIVEL RAJAN
30 GOWTHAMA GANESHAN ... Respondents 1 to 30 /
Respondents 2,3,6 to 14, 17 to 35

31 MALATHY
32 AJITHA ... Respondents 31 & 32 /
Proposed Respondents 36 & 37 /
LRs of 15th Respondent

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Civil Miscellaneous 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 dismissal order dated 03.07.2023 and restore the above application in C.M.P(MD) No.3747 of 2023 in S.A.(MD) No.470 of 2013 for non payment of batta.

Prayer in SA(MD) No.470 of 2013:

To allow the second appeal and set aside the judgment and decree passed in A.S.No.13 of 2008 on the file of the Sub Court, Paramakudi dated 03.12.2012 confirming the judgment and decree dated 04.01.2008 passed in O.S.No.134 of 2005 on the file of the District Munsif, Paramakudi.

ORDER : This civil miscellaneous petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.V.RAMKRISHNAN, Advocate for the petitioner and of Mr.R.GOWRI SHANKAR, Advocate on behalf of the Respondent Nos.26 & 27, the Court made the following order:-

Allowed.

sd/-
13/11/2024

/ TRUE COPY /

/11/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TMG

To

1.The Subordinate Judge,
Paramakudi.

2.The District Munsif,
Paramakudi.

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Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CMP(MD) No.17047 of 2023
in
SA(MD) No.470 of 2013
Date :13/11/2024

ED/ VR /SAR- (21/11/2024) 4P / 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023