



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN
AND
THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

A.S(MD)No.117& 118 of 2014 and 190 of 2016

A.S(MD)No.117 of 2014:

1.L.Subathra .. 1st Appellant/7th Defendant
2.C.Rathnakumari .. 2nd Appellant/12th Defendant

Vs.

1.Gomathi Kathiresan .. 1st Respondent/Plaintiff

2.L.Muthiah
3.Prema Sankaran
4.Padma Vadivel Murugan
5.L.Baskaran
6.Dr.L.Subramanian
7.C.Vasuki Alwar
8.C.Lakshmanan @ Karthik
9.S.Lakshmanan
10.B.Lakshmanan .. Respondents 2 to 10 /

1/7



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Defendants 1 to 5, 8 to 11

PRAYER: Appeal Suit filed under Section 96 of the Civil Procedure Code r/w Order 41 Rule 1 of the Civil Procedure Code, against the judgment and decree made in O.S.No.3 of 2002, dated 21.02.2012, on the file of the I-Additional District Judge, Fast Track Court No.1, Tuticorin.

For Appellants : MrD.Nallathambi

For Respondents : Mr.T.Selvan for R5

: Mr.P.Thiyagarajan for R6

: No appearance for R9

: R1 to R3, R7, R8 & R10 dismissed for default vide order dated 04.10.2024.

A.S(MD)No.118 of 2014:

Padma Vadivel Murugan

.. Appellant/3rd Defendant

Vs.

1.Gomathi Kathiresan

.. 1st Respondent/Plaintiff

2.L.Muthiah

3.Prema Sankaran

4.L.Baskaran

5.Dr.L.Subramanian



Chandrasekaran (Died)

6.L.Subathra

7.C.Vasuki Alwar

8.C.Lakshmanan @ Karthik

9.S.Lakshmanan

10.B.Lakshmanan

11.C.Rathnakumari

.. Respondents 2 to 11 /

Defendants 1,2,4, 5, 6 to 12

PRAYER: Appeal Suit filed under Section 96 of the Civil Procedure Code r/w Order 41 Rule 1 of the Civil Procedure Code, against the judgment and decree made in O.S.No.3 of 2002, dated 21.02.2012, on the file of the I-Additional District Judge, Fast Track Court No.1, Tuticorin.

For Appellants : MrD.Nallathambi

For Respondents : Mr.T.Selvan for R4

: Mr.K.Muthumalai for R2

: Mr.P.Thiyagarajan for R5

: No appearance for R9

: R1 to R3, R6 to R8, R10, R11 dismissed for default vide order dated 04.10.2024.



WEB COPY **A.S(MD)No.190 of 2014:**

L.Baskaran

.. Appellant/4th Defendant

Vs.

1.Gomathi Kathiresan

.. 1st Respondent/Plaintiff

2.L.Muthiah

3.Pdama Sankaran

4.Padma Vadivel Murugan

5.Dr.L.Subramanian

6.L.Chandrasekaran

7.L.Subathra

8.C.Vasuki Alwar

9.C.Lakshmanan @ Karthik

10.S.Lakshmanan

11.B.Lakshmanan

12.C.Rathnakumari

.. Respondents 2 to 12 /

Defendants 1to 3, 5 to 12

PRAYER: Appeal Suit filed under Section 96 of the Civil Procedure Code r/w Order 41 Rule 1 of the Civil Procedure Code, against the judgment and decree made in O.S.No.3 of 2002, dated 21.02.2012, on the file of the I-Additional District Judge, Fast Track Court No.1, Tuticorin.

For Appellants : MrD.Nallathambi



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For Respondents : Mr.T.Selvan for R4
: Mr.K.Muthumalai for R2
: Mr.P.Thiyagarajan for R5
: No appearance for R9
: R1, R3, R6 to R8, R10, R11 dismissed
for default vide order dated 04.10.2024.

COMMON JUDGMENT

(Judgment of the Court was made by **P.VELMURUGAN,J**)

These appeal suits have been filed against the judgment and decree made in made in O.S.No.3 of 2002, dated 21.02.2012, on the file of the I-Additional District Judge, Fast Track Court No.1, Tuticorin.

2. When the matter was taken up for hearing on 04.10.2024, notice was ordered to the unserved respondents on condition to pay batta in three days, in default the appeals shall stand dismissed as against the unserved respondents. Perusal of the records shows that the learned counsel for the appellants failed to pay batta within the time stipulated by this Court and hence, these appeals are



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dismissed as against the unserved respondents without further reference to this Court. On that day, at the request of the learned counsel for the appellants, these matters are ordered to be posted on 24.10.2024(today).

3. When theses matters are taken up for hearing today, the learned counsel for the appellants are not ready to argue the case which shows that they are not interested for further adjudication in these matters. Hence, these Appeal Suits are dismissed for non prosecution. No Costs.

[P.V.,J.] [K.K.R.K.,J.]
24.10.2024

NCC : Yes/No
Index : Yes / No
PJL

To

1. The I-Additional District Judge,
Fast Track Court No.1,
Tuticorin.
2. The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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P.VELMURUGAN, J.
and
K.K.RAMAKRISHNAN, J.

PJL

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