



C.M.P.(MD).No.11852 of 2016 in S.A.(MD).No.SR24649 of 2004 and batch

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

**C.M.P.(MD).Nos.11852 to 11855 of 2016 in
S.A.(MD).Nos.SR24649, SR24654, SR24659 & SR24645 of 2004
and S.A.(MD).Nos.SR24649, SR24654, SR24659 & SR24645 of 2004**

C.M.P.(MD).No.11852 of 2016

1.C.Chellian
2.C.Thankappan
3.Ramasamy

... Petitioners/Petitioners

Vs.

1.Retnam
2.Maheswari
3.Vijayakumar
4.Russel Raj
5.Ashok Kumar
6.Senthilkumari
Ponnappan (Died)
7.Anantha Padmanaban @ Thankappan
8.Komalam
9.Selvaraj
10.Rajkumar
11.Raja Kumari
12.Appu
13.P.Radhakrishnan
14.P.Rukmani
15.P.Kala
16.P.Paulmani
17.P.Thanka Vadivu

... Respondents/Respondents

... Proposed Respondents



C.M.P.(MD).No.11852 of 2016 in S.A.(MD).No.SR24649 of 2004 and batch

PRAYER in C.M.P.(MD).No.11852 of 2016: Civil Miscellaneous

Petition is filed under Section Order 22 Rule 4 and Section 151 of CPC to bring on the proposed respondents, who are the legal heirs of the deceased 7th respondent/1st defendant, as the parties to the second appeal.

PRAYER in S.A.(MD).No.SR24649 of 2004: Second Appeal is filed under Section 100 of the C.P.C. to set aside the judgment and decree dated 14.10.2003 made in A.S.No.56 of 1995 on the file of the Sub Court, Kuzhithurai, Confirming the Judgment and Decree dated 30.06.1995 made in O.S.No.511 of 1980 on the file of the District Munsif Court, Kuzhithurai.

C.M.P.(MD).No.11853 of 2016

1.C.Chellian
2.C.Thankappan
3.Ramasamy

... Petitioners/Petitioners

Vs.

1.Thankappan
2.Arumugam
3.Logi Dhass
4.Krishnan
5.Sundhari
6.Pathrakali
Ponnappan (Died)
7.Selvaraj
8.Rajkumar
9.Raja Kumari
10.Appu
11.P.Radhakrishnan

... Respondents/Respondents



C.M.P.(MD).No.11852 of 2016 in S.A.(MD).No.SR24649 of 2004 and batch

12.P.Rukmani
13.P.Kala
14.P.Paulmani
15.P.Thanka Vadivu

... Proposed Respondents

PRAYER in C.M.P.(MD).No.11853 of 2016: Civil Miscellaneous

Petition is filed under Section Order 22 Rule 4 and Section 151 of CPC to bring on the proposed respondents, who are the legal heirs of the deceased 7th respondent/8th defendant, as the parties to the second appeal.

PRAYER in S.A.(MD).No.SR24654 of 2004: Second Appeal is filed under Section 100 of the C.P.C. to set aside the judgment and decree dated 14.10.2003 made in A.S.No.57 of 1995 on the file of the Sub Court, Kuzhithurai, Confirming the Judgment and Decree dated 30.06.1995 made in O.S.No.127 of 1982 on the file of the District Munsif Court, Kuzhithurai.

C.M.P.(MD).No.11854 of 2016

1.C.Chellian
2.C.Thankappan
3.Ramasamy

... Petitioners/Petitioners

Vs.

1.Retnam
2.Maheswari
3.Vijayakumar
4.Russel Raj
5.Ashok Kumar
6.Senthil Kumari
Ponnappan (Died)

... Respondents/Respondents



C.M.P.(MD).No.11852 of 2016 in S.A.(MD).No.SR24649 of 2004 and batch

7.P.Radhakrishnan
8.P.Rukmani
9.P.Kala
10.P.Paulmani
11.P.Thanka Vadivu

... Proposed Respondents

PRAYER in C.M.P.(MD).No.11854 of 2016: Civil Miscellaneous

Petition is filed under Section Order 22 Rule 4 and Section 151 of CPC to bring on the proposed respondents, who are the legal heirs of the deceased 7th respondent/9th defendant, as the parties to the second appeal.

PRAYER in S.A.(MD).No.SR24654 of 2004: Second Appeal is filed under Section 100 of the C.P.C. to set aside the judgment and decree dated 14.10.2003 made in A.S.No.77 of 1995 on the file of the Sub Court, Kuzhithurai, Confirming the Judgment and Decree dated 30.06.1995 made in O.S.No.641 of 1981 on the file of the District Munsif Court, Kuzhithurai.

C.M.P.(MD).No.11855 of 2016

1.C.Chellian
2.C.Thankappan
3.Ramasamy

... Petitioners/Petitioners

Vs.

1.Thankappan @ Ananthapadmanaban
Ponnappan (Died)
2.Retnam
3.Maheswari
4.Vijayakumar
5.Russel Raj



C.M.P.(MD).No.11852 of 2016 in S.A.(MD).No.SR24649 of 2004 and batch

6.Ashok Kumar
7.Senthil Kumari
8.Komalam
9.Selvaraj
10.Rajakumari
12.Appu
13.P.Radhakrishnan
14.P.Rukmani
15.P.Kala
16.P.Paulmani
17.P.Thanka Vadivu

... Respondents/Respondents

... Proposed Respondents

PRAYER in C.M.P.(MD).No.11855 of 2016: Civil Miscellaneous

Petition is filed under Section Order 22 Rule 4 and Section 151 of CPC to bring on the proposed respondents, who are the legal heirs of the deceased 2nd respondent/1st defendant, as the parties to the second appeal.

PRAYER in S.A.(MD).No.SR24654 of 2004: Second Appeal is filed under Section 100 of the C.P.C. to set aside the judgment and decree dated 14.10.2003 made in A.S.No.13 of 1996 on the file of the Sub Court, Kuzhithurai, Confirming the Judgment and Decree dated 30.06.1995 made in O.S.No.275 of 1982 on the file of the District Munsif Court, Kuzhithurai.

For Petitioners/Appellants : No Appearance

For Respondents/Respondents: Mr.V.Perumal for R1 to R6
Mr.K.N.Thampi for R8, R9 & R12



C.M.P.(MD).No.11852 of 2016 in S.A.(MD).No.SR24649 of 2004 and batch

COMMON ORDER

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When the matter was taken up for hearing on 19.06.2024, there was no representation for the petitioners. Hence, the matter was ordered to be posted today under the caption 'for dismissal'. Even today, (i.e., 16.07.2024) there is no representation for the petitioners. In view of the same, these civil miscellaneous petitions stand dismissed for default. Consequently, Second Appeals are also rejected at the SR stage itself. No costs.

16.07.2024

Index : Yes / No
Internet : Yes / No
TM

To

- 1.The Sub Judge, Kuzhithurai, Kanniyakumari District.
- 2.The District Munsif, Kuzhithurai, Kanniyakumari District.
- 3.The Section Officer,
E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGO VAN,J.

TM

**C.M.P.(MD).Nos.11852 to 11855 of 2016 in
S.A.(MD).Nos.SR24649, SR24654,
SR24659 & SR24645 of 2004
and S.A.(MD).Nos.SR24649, SR24654,
SR24659 & SR24645 of 2004**

16.07.2024