



CRP(MD) No.2247 of 2017

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

Thursday, the Twenty First day of November Two Thousand and Twenty Four

PRESENT

The HONOURABLE MR. JUSTICE N. SENTHILKUMAR

CMP(MD) Nos.10948 and 10949 of 2017

IN

CRP(MD) No.2247 of 2017

1 MOHAMED THAJUDEEN @ THAJUDEEN(DIED),

2 MOHAMED NAZEEBUN NISHA @ PATHAMUTHU

3 KADAR SULTHAN ALI

4 AYISA GANI

5 JALAMUTHU NISHA

6 RAHUMANI BEEVI

... Petitioners / Petitioners / Plaintiffs
in both petitions

7 ABDUL SALAM

8 AL AMAAN

9 MOHAMED MAHADHEER

10 SALAMUL RAHUFANIYA

... Petitioners 7 to 10 in both petitions

(Petitioners 7 to 10 are brought on record as LR's of the deceased 1st petitioner vide Court order dated 29.07.2022 made in CMP(MD) No.10523 of 2018 in CRP(MD) No..2247 of 2017)

(6th petitioner and 57th respondent who are already on records are recorded as LR's of the deceased 1st petitioner vide Court order dated 29.07.2022 made in CMP(MD) No.10523 of 2018 in CRP(MD) No.2247 of 2017)



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Vs

1 UMMAKOLLUSU
2 SHAHUL HAMEED
3 MOHAMAD ABUBUKAR
4 NOORIN JAMILA
5 SHYTHUN BEEVI
6 HABIBU AYSHA

KATCHU IBRAHIMAMMAL (DIED)

7 KUBURAMMAL

SUHARAAMMAL (DIED)

8 ABU HANIFA
9 RAHMADULLA
10 HIMMADULLA
11 ROOKULLA
12 AARIBBA
13 HAKULLA

ABDUL RAHIM (DIED)

14 UVAISOOL KARUNAI
15 UMMAL ARIBA
16 MASOOTHU
17 MASILLA
18 MUMINA BEEVI
19 UMMUL BHASIRA
20 PEER IBRAHIMSHA

PEER NAINA MOHAMMED (DIED)

MOHAMED MARIYAMMAL (DIED)



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21 ALIMA BEEVI
22 AJISHA BEEVI
23 KAJA MAIDEEN @ PAATTALI
24 SYED ABTHAHIR
25 RAMZAN BEEVI

26 SYED ALI FATHIMA
W/O.SHAHUL HAMEED

27 MEERA MAIDEEN
28 SEENI MOHAMMED
29 SULAICAL BEEVI

30 SYED ALI FATHIMA
W/O.PEER MOHAMED

31 MOHAMED AYSHA
32 SHALIKA BEEVI
33 TAJUN BEEVI
34 BAHUDHATHU
35 UMMAL RUKIYA
36 THANSHILA
37 HABIBU RHAMAN
38 UMAR FAROOK
39 REKHAN BEEVI
40 SHARINA BEEVI
41 BHAHARUDEEN
42 MINOR SIRAJUDEEN
43 MINOR BHAHABUDEEN

(Minor respondents 42 and 43 herein
represented by their mother and natural
guardian Rekhan Beevi 39th respondent
herein



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44 MINOR ABSAL NISHA

(Minor 44th respondent herein
represented by their mother and natural
guardian Sharina Beenil 40th respondent
herein

45 SHAHARUN JAMILA

46 JAMALUDIN

47 SAHABUDEEN

48 CHITHI JEMILA

49 SHAHUL HAMEED

50 MAHARATAMMAL

51 HABASIYA

52 NAINA ALI KHAN

53 KHALIL RAHMAN

54 AYSHA MARIYAM

55 SAMSU NISHA

56 SHABIULLA

57 THENUL MAHARIBA

58 JALALUDEEN

59 MINNAL BOWSIA

60 UKAS

61 KUDTHUSH

FATHIMA BEEVI (DIED).

62 SYED AHAMED

63 MAHARASIAMMAL

64 HAYARUN NISHA

65 SALIMA BEEVI

MAHARIBU (DIED).

66 KANI IBRAHIM

67 ABDUL LATHIF

68 MOHAMED FATHU

69 BASARIYAL



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70 PEER MOHAMED
71 MAHUTHUN BEEVI
72 AHMED KABEER
73 HABIBU AYSHA
74 MINNISHA
75 MOHAMMED ALI JINNA
76 JAFER SHADICK
77 CHINA BEEVI
78 RIYAS KHAN
79 RAVIYATH BEEVI
80 MATHINA BEEVI
81 ABDULRAZAK
82 SYED RAVIYATH
83 MAHATHUN BEEVI
84 MAJITHA BEHAM
85 MARIYAM BEEVI
86 SYERA BANU
87 AHAMED
88 ABDUL SALAM
89 SEHU HASAN
90 SYED ISAK
91 MAIDEEN KANI
92 FATHIMA
93 MOHAMMED YASIN
94 MOHAMMED BASHA
95 MOHAMMED BUHARI
96 MEERA MAIDEEN
97 KAATTUN BEEVI
98 ALIYAR
99 AMEER ALI
100 THANUSHILAL BEEVI
101 ALI BOOTTO
102 SAHARBAN BEEVI
103 RAMZAN BEEVI
104 KABILA BEEVI
105 SUBUHAANI



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106 MOHAMMED ABDUL KHADAR (CHINNAVAR)

107 MOHAMMED MAIDEEN (UMAI)

108 SYED IBRAHIMSA @ NANDU KUNJU

109 PEER MOHAMMED @ CHINNA NANDU KUNSU

110 MARIYAM BEEVI

111 SHAHUL HAMID

112 AYSHAMMAL

113 MOHAMMED FATHU @ POOMALAI

114 FATHU MUTHU

115 SEVU USAN

116 KANIMUTHU BEEVI

117 KAMARUDEEN

118 FATHARUN NIZHA BANU

119 JENNATH BEEVI

120 ABUSAL ETHIRIS

121 BISMILLA BEHAM

122 PEER MOHAMMED

123 KATCHU IBRAHIM AMMAL

124 SAGUBAR SADIQ

125 SHAHUL HAMEED

126 MOHAIDEEN ABDUL KHADAR

127 SHAJAHAN BEEVI

128 JAFARULLA KHAN

129 FAROOQ

130 BARAKADULLA

131 ASANALLABBAI

132 SULTHAN IBRAHIM

133 KATHIJA BEEVI

134 AMMANULLA

135 SEENI MAIDEEN

136 PEER MOHAMMED

137 RAHUMANI

138 FAHIR MUSTAN

139 MOHAMMED ABUBAKKAR

140 MEERA MAIDEEN



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141 VAHABKHAN
142 AMEENA BEEVI
143 SEHU ABDUL KADAR
144 SYDUN BEEVI
145 MOHAMMED RAFICK
146 AMANULLA
147 KURAIISA BEEVI
148 SULAIMAN

MOHAMED AMINAMMAL(DIED)

149 MAIDEEN IBRAHIM
150 VAHITHA BEEVI
151 NOOR JAHAN
152 MUMTAJ
153 BAKKULAM RASUL
154 SAHILA @ RAJATHI
155 ALAVUDEEN
156 DHAYAR SULTHAN
157 KHAJA MAIDEEN
158 KALIMA BEEVI
159 MOHAIDEEN ABDUL KADAR
160 SHARBAN BEEVI
161 KANIMUTHU SUHARAL
162 KARIM KANI

SEHU MAIDEN(DIED)

163 PEER MOHAMMED
164 REHANI
165 KADAR
166 ABDUL KADAR
167 PEER IBRAHIM
168 FATHU MUTHU
169 BAKIR MASTAN
170 (MINNAL)BOWSIA



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171 KULAM SHARIF
172 NOOR BEEVI
173 SEENI
174 MOHAMMED MITHARSHA
175 MEERAMMAL
176 MOHAMMED MIRASHA
177 ABDUL AJEES(LABBAI)
178 RAHUMATH NISHA
179 ABDUL KADAR
180 MAIDEEN BEEVI
181 SEENI NAINA MOHAMMED
182 SEENI ADIMAI
183 NOORUL HASAN
184 MUMTHAJ
185 NIZAR ALI
186 KALIMA BEEVI
187 SEENI ASANA
188 SYED ISAK
189 SEENI MAIDEEN
190 MUMTHAJ BEHAM
191 FATHU MUTHU
192 MARIANBU BEEVI
193 ANIAS FATHIMA
194 SEENI MYDEEN
195 AKBAR
196 MAHARBANU BEEVI
197 ASHIKA BEEVI
198 SAIURA BANU
199 ABITHA
200 MARSHAN BEEVI
201 SHEIK SADHAKATULLA
202 SHEIK SADHAKULLA
203 NOOR FATHIMA
204 NOOR IBRAHIM
205 LAILATHU GATHARIYA
206 MUTHU BEEVI



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207 BEERHABEEBA
208 BEERNOOL ARIBHA
209 MOHAMED RABEQU
210 BEER SULTHAN
211 BAHANATHU VALA
212 MARIYAMBU AYSHA
213 SEENI ADIMAI
214 FATHIMA BEEVI
215 FATHUMUTHU
216 RAJABHAWNISHA
217 MOHAMED HANIBA
218 JANNATH
219 KATCHI MOHAMED
220 NOORUL PHIKARA
221 NAJMA BEGUM
222 AYATHDULLA
223 FASHARIYA BEGAM
224 MOHAMED SIDDHIQ
225 NASRUTH NIKKARAA BEGAM
226 BAKRUDEEN
227 KADAABUDEEN
228 HAJUBUNISHA
229 MEERAMOHAIDEEN
230 KADAR FATHIMA
231 DHARVESH MOHAIDEEN
232 THEENUL MAHARIBHA
233 SABAIYULLAH
234 MENNAL HABIBA
235 GUBHURAAL BEEVI
236 SHAJAKAHAN
237 JAHIR HUSSIN
238 MOHAMED KASIM
239 SEENI MOHAMED
240 RAHAMADULLA
241 MEERA MAIDEEN
242 MARISIYA BEGAM



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243 AMJATH ALI
244 JAINULLABHUDEEN
245 NAJURUDEEN
246 ISHMATHJAHAN
247 SYED IBRAHIM
248 SHIBANA
249 NASIR

... Respondents / Respondents / Defendants
in both petitions

250 NOORUL AMEEN

... Respondent / Petitioner / Plaintiff
in both petitions

Prayer in CMP(MD). 10948/ 2017 :

To dispense with to serve the notice to the respondents 10,108,109,155,156,163,173,187 this civil revision petition.

Prayer in CMP(MD). 10949/ 2017 :

To dispense with to serve the notice to the respondents 1 to 9, 11 to 107, 110 to 154, 157 to 162, 164 to 172, 174 to 186, 188 to 250 this Civil Revision Petition.

Prayer in CRP(MD) No.2247 of 2017:

To prefer this memorandum of grounds of civil revision petition against the fair and decreetal order in I.A.No.55 of 2017 in O.S.No.111 of 2007, on the file of District Munsif Court, Mudukulathur dated 02.03.2017.

ORDER : These civil miscellaneous petitions 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.S. RAMESH, Advocate for the petitioners, the Court made the following order:-

These petitions are filed to dispense with to serve the notice to the respondents 10, 108, 109, 155, 156, 163, 173 and 187 and respondents 1 to 9, 11 to 107, 110 to 154, 157 to 162, 164 to 172, 174 to 186 and 188 to 250, respectively.



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2.The Division Bench of this Court C.M.P.No.11577 of 2022 and batch in Gnanasoundari and another vs G.Vijayakala and others, dated 20.10.2023, has held that once the parties are made as defendants in the suit, notice has to necessarily go, even if they remained ex parte at the first appellate stage or before the second appeal.

3.In view of the categorical judgment of this Court, taking note of the amended CPC, these applications are dismissed and the petitioners are directed to take notice to all the unserved respondents in the Civil Revision Petition. The petitioners are directed to take notice through Court as well as privately.

4.Post the main Revision Petition on 03.12.2024 for compliance.

sd/-
21/11/2024

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

CMR

To

The District Munsif,
Mudukulathur.



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CRP(MD) No.2247 of 2017

ORDER

IN

CMP(MD) Nos.10948 and 10949 of 2017

IN

CRP(MD) No.2247 of 2017

Date :21/11/2024

ED/ VR /SAR- (26/11/2024) 12P / 2C

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