



CMP(MD). No.16345 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Wednesday, the Fourth day of December Two Thousand and Twenty Four

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

CMP(MD). No.16345 of 2023
in
SA(MD).No.268 of 2016

1. Nallammal
2. Gopal
3. Parvathi (died)
4. Paramasivam (died)
5. Jothi
6. Sekar
7. Valarmathi
8. Meena
9. Muruganantham
10. Lakshmi
11. Ammu
12. Ganesan
13. Nallathampi
14. Mehar Banu
15. Sharmila
16. Parveen Banu
17. Bilal Mohammed

... Petitioners/ Appellants

Vs

- 1 The Tahsildar
Thiruvaiyaru Thanjavur District.



CMP(MD). No.16345 of 2023

2 The State of Tamilnadu
By its District Collector Thanjavur.

3 Gopal (died)

4 Ramakrishnan (died)

5. Mahalakshmi, D/o.Late Gopal

6. Thangamani, D/o.Late Gopal

7. Murugan, S/o.Jagadeesan

8. Minor Keerthana Shree,
(8th Respondent is minor represented by her father
and guardian 7th Respondent herein)

Respondents 5 to 8 are residing at Door No.16,
Vadakkuvadi Theru, Buthalur Taluk, Thirukattupalli,
Thanjavur District.

9. Srinivasan, S/o.Late Ramakrishnan,

10. Sundaram, S/o.Late Ramakrishnan,

11. Srhakunthala D/o.Late Ramakrishnan,

12. Sundaravalli, D/o.Late Ramakrishnan,

13. Alamelu, D/o.Late Ramakrishnan

Respondents 9 to 13 are residing at 23/ A, Sathiya Moorthy Store, Annai Nagar 5th
Street, Palakkarai, Trichy. ... Respondents/ Respondents

Prayer in CMP(MD). No.16345 of 2023:-

This Civil Miscellaneous Petition filed under section 41 Rule 19 of CPC to set
aside the order dated 02-11-2022 (dismissal of the second appeal for Non



CMP(MD). No.16345 of 2023

-Prosecution) and to restore the second appeal S.A.(MD).No.268 of 2016 on the file of this Hon`ble Court.

Prayer in SA(MD). No.268 of 2016:-

This second Appeal filed under section 100 of Civil Procedure Code to set aside the Judgement and Decree dated 09.01.2009 passed in A.S.No.56 of 2006 on the file of Additional Subordinate Court, Thanjavur, confirming the Judgment and Decree dated 17.04.2006 passed in O.S.No.100 of 2005 on the file of District Munsif Court, Thiruvaiyaru.

ORDER:- This Civil Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.R.Nandakumar, Advocate for the Petitioner and of Mr.C.Satheesh, Government Advocate for Respondents No.1 and 2, this Court made the following order:

ALLOWED.

Sd/-

Assistant Registrar(C.O)

// True Copy //

/12/2024

Sub Assistant Registrar
(CS- I/ II / III / IV)



CMP(MD). No.16345 of 2023

TO
WEB COPY

1. The Tahsildar,
Thiruvaiyaru, Thanjavur District.
2. The District Collector,
Thanjavur District.

ORDER DATED : 04/12/2024

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ORDER

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CMP(MD). No.16345 of 2023
in
SA(MD).No.268 of 2016

Giving direction and etc.
as stated within.

KVL(16/12/2024) 4P 3C

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