



C.M.P.No.13886 of 2002 in S.A.No.SR.66368 of 2001

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2024

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

C.M.P.No.13886 of 2002

in

S.A.No.SR66368 of 2001

and

C.M.P.No.13887 of 2002

Madurai Kuttaiya Samy Mutt,
164, South Veli Street,
Madurai Town, Madurai District and
Kalaiyarkovil
K.S.Vedhandha Mutt,
Kalaiyarkovil, Sivagangai District
represented through its
Madathipatthy Narayanasamy
residing at No.164, South Veli Street,
Madurai Town, Madurai District
through his power of attorney Sethu ... Petitioner / Appellant

Vs

- 1.Ganapathy
- 2.Poomayil
- 3.Panchavarnam,
- 4.Chitravelu
- 5.C.Poomayil



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- 6.Mutrusamy
- 7.M.Pushpam
- 8.Kulachamy
- 9.Bakki,
W/o.Kulachamy
- 10.Neelavathi
- 11.Muniammal
- 12.K.Ammasi
- 13.Vairakkannu
- 14.Bakki,
W/o.Varrakkannu
- 15.Ariyamuthan
- 16.Ponnalagu
- 17.Vellaichamy
- 18.Mayan
- 19.Ammasi
- 20.Kalai
- 21.Pappathi
- 22.Muthu
- 23.Ramayee
- 24.Palani
- 25.Kaveri
- 26.Muthalagu
- 27.Panthanam
- 28.Sundaraj
- 29.Kasi



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30.Ramachandran

31.Poosai

32.Neelamegam

33.Udaiyan

34.Karanthamalai

35.Ayyathurai

36.Pannalagu

37.Singaram

38.Arumugam

39.Mani

40.A.Alagu

... Respondents / Respondents

Prayer in **C.M.P.No.13886 of 2002** : Civil Miscellaneous Petition is filed under Section 5 of the Limitation Act to condone the delay of 3 days in filing the Second Appeal.

Prayer in **S.A.No.SR66368 of 2001** : Second Appeal is filed under Section 100 of C.P.C., against the judgment and decree in A.S.No.85 of 1999 dated 26.04.2001 on the file of Sub Court, Sivagangai, confirming the judgment and decree in O.S.No.523 of 1992 dated 24.6.1998 on the file of Additional District Munsiff Court, Sivagangai.

For Petitioner : Mr.A.Sivaji

For R1 to R3, R6, : Mr.B.Jameel Arasu
R7, R15, R16,
R20, R24 and R25



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ORDER

When the matter came up for hearing today, learned counsel for the petitioner would submit that he wrote a letter to the petitioner, but there was no proper response.

2. Therefore, no purpose is going to be served in keeping this petition pending. Accordingly, this Civil Miscellaneous Petition is dismissed for default and the Second Appeal is rejected at the SR stage itself. Consequently, C.M.P.No.13887 of 2002, is also dismissed for default.

19.06.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No

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To

1. The Subordinate Judge, Sivagangai.
2. The Additional District Munsiff, Sivagangai.
3. The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGO VAN, J.

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