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THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

A.S(MD)Nos.65 of 2009, 1 and 640 of 2011

and

M.P(MD)Nos.1 of 2009 and 1 of 2011

SUB.A(MD)No. 95 of 2022

A.S(MD)Nos.65 of 2009

1. Appiya Nagendra Iyer Nager Poojai,
Vagaiyara Annasamaradhanai, Dharma Trust
Represented By Nagar Vagaiyara Deities Next Friend,
Worshipper, Beneficiary of the said Nagar Vagaiyara Temple.
V.V.Subramanian

*[Next friend/worshipper/beneficiary of the trust is substituted
vide Court order dated 19.01.2023]*

2. Rajalakshmiammal [died]

3. T.R.Kuppusamy

4. V.S.Om Ganesh

5. O.D.Rajaram

6. R.Pandiarajan

7. M.Thangasamy @ Muniyandi

8. P.Kannayiram

9. S.Pandi

... Appellants



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/Vs./

1. A.N.Viswanathan
(Already Exparte in the Suit as Per Decree).

2. A.V.Kuppusamy (Died)

[Memo Dated 30.01.2023 Presented Before the Court On 23.08.2023 is Recorded, as R2 Died and there is no need to implead his Lrs on record, as no relief is sought for against him vide Court order dated 23.08.2023]

3. N.B.Natarajan (Died)

4. A.B.Subramanian
(Already Exparte in the suit as Per Decree).

5. A.R.Mohanram

[Memo Dated 01.08.2023 Presented Before the Court On 23.08.2023 is recorded, to the effect that issuance of notice to 5th respondent is dispensed with as no specific relief is sought for against him vide Court order dated 23.08.2023]

6. N.N.Kumareshbabu

7. N.N.Saravanan

[Respondents 6 and 7 are Brought On Record as LR of the Deceased 3rd Respondent Vide common order dated 07.12.2023]

8. A.K. Yogeshwaran

[Respondent No. 8 is Brought On Record as LR of the Deceased 2nd respondent vide common order dated 07.12.2023]

...Respondents

PRAYER: Appeal Suit filed under Section 96 of C.P.C., against the Judgment and decree of the Additional District Judge, Fast Track Court No.1, Madurai, dated, 03.12.2008, in O.S.No.47 of 2005.



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For Appellants : Mr.K.Suresh Kumar

For R8 : Mr.V.Meenakshi Sundaram

A.S.(MD)No.1 of 2011:

- 1.V.V.Subramanian
- 2.V.S.Om Ganesh
- 3.N.N.Saravanan
- 4.S.Nagarajan
- 5.N.R.Krishnamoorthy

...Appellants

--Vs--

- 1.A.N.Viswanathan
- 2.A.R.Sundaram
- 3.S.Martin
- 4.S.P.Raju (died)
- 5.S.Srinivasan
- 6.Sikkandar
- 7.Mohamed Abubekar
- 8.V.Jeyaraman
- 9.V.Pandiarajan
- 10.V.Sankaran
- 11.V.Velmurugan
- 12.Puliammal
- 13.Jeyamoorthy
- 14.S.Arumugam

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15.S.Krishnan

16.T.Samaiyan

17.T.Raja

18.The Tahsildar,
Madurai North Taluk,
District Collectrate Campus, Madurai -20.

19.N.B.Natarajan (died)

20.Marya

21.Vibbin Richard

22.Nirmal Prabhu

(Respondents 20 to 22 are brought on record as Lrs of the deceased 4th respondent vide court order dated 23.08.2023.)

...Respondents

PRAYER: Appeal Suit filed under Section 96 of C.P.C., against the Judgment and decree of the Additional District Judge, Fast Track Court No.1, Madurai, dated, 03.12.2008, in O.S.No.43 of 2005.

For Appellants : Mr.K.Suresh Kumar

For R3, R20 to R22 : Mr.V.Meenakshi Sundaram

A.S.(MD)No.640 of 2011:

Appiya Nagendra Iyer Nager Poojai,
Vagaiyara Anna Samaradhanai
Dharma Trust, Nagar Poojai Vagaiyara
Kovil Trust,
through its Worshipper
T.A.Anandamoorthy,
S/o.Achuthan, 2/27, Main Road,
Uthangudi Village, Madurai.

...Appellants



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--Vs--

1.Appiya Nagendra Iyer Nagar,
Poojai Vagaiyara Anna Samaradhanai
Dharma Trust claimed to be the Trustees.

2.A.V.Karuppasamy (died)

3.Murugan

4.A.R.Mohanram

5.A.K.Ganesh Babu

6.A.K.Kumaran Babu

7.S.Martin

8.N.S.Lengaram

9.M.Pandi

10.Ayyammal

11.V.Jeyaraman

...Respondents

PRAYER: Appeal Suit filed under Section 96 of C.P.C., against the Judgment and decree of the Additional District Judge, Fast Track Court No.1, Madurai, dated, 03.12.2008, in O.S.No.48 of 2005.

For Appellants : Mr.K.Suresh Kumar

For R11 : Mr.V.Meenakshi Sundaram

COMMON JUDGMENT

Today, when the matters are taken up for hearing, the Learned Counsel appearing for the Appellants sought permission of this Court to withdraw these appeals. To this effect, he has also made an endorsement.



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2. In view of the same, these Appeals are dismissed as withdrawn. No costs. Consequently, connected Sub application and miscellaneous petitions are closed.

25.08.2025

Index : Yes / No
NCC : Yes / No
KSA



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TO:

1. The Additional District Judge,
Fast Track Court No.1,
Madurai.
2. The Tahsildar,
Madurai North Taluk,
District Collectrate Campus,
Madurai -20.
3. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY, J.

KSA

Common Judgment made in
A.S(MD)Nos.65 of 2009,
1 and 640 of 2011

25.08.2025