



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

WEB COPY

(Civil Appellate Jurisdiction)

Thursday, the Twenty Ninth day of May Two Thousand Twenty Five

PRESENT

The HONOURABLE MR.JUSTICE G.ILANGO VAN

SA Nos.1549 of 2000 & 827 of 2002

SA No.1549 of 2000

1.N.Gandhi Meenal
2.Nataraja Thevar
3.G.Dhanalakshmi (Died)
4.T.Sathyamoorthy
5.T.Pandian (Died)

:Appellants/ Appellants 1, 3
to 6/D1,D6,D11,D13 & D8

6.Gurusamy
7.Muthumari

: Appellants 6 and 7/
LR.s of the deceased A3

(Appellants 6 and 7 are brought
on record as LR.s of the deceased
3rd appellant, vide court order,
dated 23/01/2023 made in CMP(MD)
Nos.2342, 2344 and 2345 of 2021
in SA No.1549 of 2000)

8.Rajalakshmi
9.Murugaboopathy

: Appellants 8 and 9/
LRs. of the deceased A5

(Appellants 8 and 9 are brought
on record as LR.s of the deceased
5th Appellant, vide court order,
dated 23/01/2023 made in CMP(MD)
Nos.2342, 2344 and 2345 of 2021
in SA No.1549 of 2000)



..Vs..

WEB COPY

- 1.B.Indurani
- 2.Ukkirapandian (Minor)
- 3.Muthurathinam
- 4.Nagajothi (Minor)
- 5.Deivarani (Minor)
- 6.Manikandan (Minor)
- 7.Vasuki(Minor)
- 8.Indurani (Minor)
(Minors 2,4 to 8 represented
by their guardian, next friend
1st respondent)
- 9.E.V.Naganathan (Died)
- 10.Ponnusamy Thevar (Died)
- 11.A.Sivagnanam
- 12.Mayilvasagam (Died)
- 13.Ponnuchami alias
Ukkirapandi Thevar
- 14.Kasinathadurai
- 15.Poomalai
- 16.Sankara Iyer

: Respondents 1 to 16/
Respondents/
Plaintiffs 1 to 8 and
Defendants 2,3,4,7,9,10,
12 and 14

- 17.Logamatha
- 18.Jothi Muthuramalingam
- 19.Vellaichamy Thevar
- 20.Krishnamoorthy

: Respondents 17 to 20/
LR.s of the R9

(R17 to R20 brought on
LR.s of the deceased
R9, vide court order,
dated 10/11/2017 made in
MP(MD)Nos.1 to 3/2011)

- 21.Uthamaraman
- 22.Poomalai



23.Nagu

24.Velliammal

: Respondents 21 to 24/
LR.s of R10

(R21 to R24 are brought on
record as LR.s of deceased
R10, vide court order, dated
03/02/2020 made in MP(MD)
Nos.4 to 6 of 2011 in SA
No.1549 of 2000)

25.Suriya Prakasam

26.Kottai Eswaran Prakasam

27.Jothi Muthuramalingam

28.T.Gandhimathi

29.T.Kowsalya

30.T.Indhumathi

31.T.Gokula Priya (Minor)

: Respondents 25 to 31

(31st Respondent is minor
represented by her mother
and natural guardian
28th respondent)

(Respondents 25 to 31 are impleaded,
Vide court order, dated 02/08/2023
made in CMP(MD)No.1085 of 2022 in
SA No.1549 of 2000)

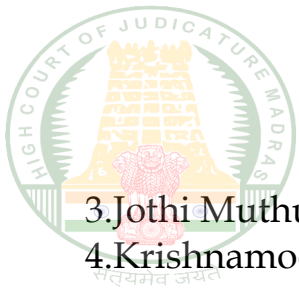
PRAYER:Second Appeal is filed under Section 100 of the Civil Procedure Code, against the judgment and decree, dated 22/06/2000 and made in AS No.155 of 1996 on the file of the Additional District Court, Ramanathapuram, confirming the judgment and decree, dated 25/03/1996 in OS No.82 of 1993 on the file of the Sub Court, Ramanathapuram.

SA No.827 of 2002:

1.E.V.Naganathan (Died)

2.Lokamatha

: 1st Appellant/
Appellant/2nd Defendant



3.Jothi Muthu Ramalingam
4.Krishnamoorthy

WEB COPY

: Appellants 2 to 4/
LR.s of the deceased sole
Appellant

(Appellants 2 to 4 are brought
on record as LR.s of the deceased
sole appellant, vide Court order,
dated 23/01/2023 made in CMP(MD)
Nos.2504, 2505 and 2507 of 2020
in SA No.827 of 2002)

..Vs..

1.P.Indrani
2.Ukkirapandiyan
3.N.Muthurathinam
4.Nagajothi
5.Deivarani
6.Manikandan
7.Vasuki
8.N.Indurai

: Respondents 1 to 8/
Respondents 1 to 8/
Plaintiffs
: 9th Respondent/R9/
1st Defendant

9.Gandhi Meenal

10.P.Ponnuchamy Thevar (Died)
11.A.Sivagnanam
12.Murugesan
13.Nataraja Thevar
14.Mayilvasagan (Died)
15.T.Pandi (Died)
16.Ponnusamy @ Ukkirapandi Thevar
17.R.Kasinathadurai
18.Dhana Lakshmi (Died)
19.Poomalai
20.Sathya Murthy
21.Sankara Iyer

: Respondents 10 to 21/
Respondents 10 to 21/



Defendants 3 to 14

22.Uthamaraman

23.Poomalai

24.Nagu

25.Vellaimmal

: Respondents 22 to 25/

(Respondents 22 to 25 are brought LR.s of the deceased on record as LR.s of the deceased 10th Respondent 10th respondent, vide court order, dated 23/01/2023 made in CMP(MD) Nos.2677 to 2679 of 2020 in SA No.827 of 2002)

26.Suriya Prakasam

27.Dhana Chandra Prakasam (Died)

28.Kottai Eswara Prakasam

29.Jothi Muthuramalingam

: Respondents 26 to 29/
LR.s of the deceased
14th Respondent

(R26 to 29 are brought on record as LR.s of the deceased 14th respondent, vide court order, dated 23/01/2023 made in CMP(MD) Nos.3351, 3353 and 3354 of 2020 in SA No.827 of 2002)

30.Rajalakshmi

31.Murugaboopathy

: Respondents 30 and 31/
LR.s of the deceased
15th Respondent

(Respondents 30 and 31 are brought on record as LR.s of the deceased 15th respondent, vide court order, dated 30/06/2023 made in CMP(MD) Nos.1851, 1854, 1856, 1858, 1860 and 1861 of 2023 in SA No.827 of 2002)

32.Gurusamy

33.Muthumari

: Respondents 32 and 33/
LR.s of the deceased
18th Respondent

(Respondents 32 and 33 are brought on



record as LR.s of the deceased 18th respondent, vide Court order, dated 30/06/2023 made in CMP(MD)Nos.1851, 1854, 1856, 1858, 1860 and 1861 of 2023 in SA No.827 of 2002)

34.Gandhimathi

35.Kowsalya

36.Indhumathi

37.Minor.Gokila Priya

: Respondents 34 to 37/
LR.s of the deceased
27th Respondent

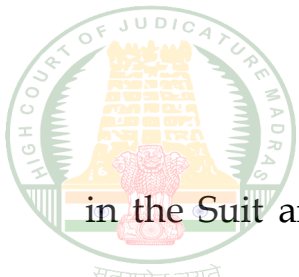
(37th respondent is minor represented by her mother and natural guardian 34th Respondent herein)

(Respondents 34 to 37 are brought on record as LR.s of the deceased 27th respondent, vide court order, dated 02/08/2023 made in CMP(MD) Nos.1863 to 1865 of 2023 in SA No.827 of 2002)

PRAYER:Second Appeal is filed under Section 100 of the Civil Procedure Code, to set aside the judgment and decree made in AS No.154 of 1997 on the file of the Additional District Judge cum Chief Judicial Magistrate Court, Ramanathapuram, dated 22/06/2000 which confirms the judgment and decree made in OS No.82 of 1993 on the file of the Sub Court, Ramanathapuram, dated 25/03/1996.

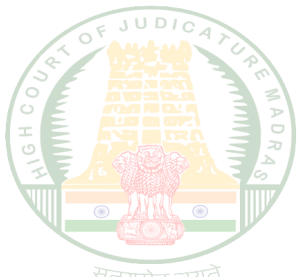
DECREE :

These Second Appeals coming upon for orders on Friday the Fourth day of April Two Thousand Twenty Five day and upon perusing the judgments and decrees of the Lower Appellate Court and the Court of First Instance and the material papers



in the Suit and upon hearing the arguments of Mr.S.Subbiah, Senior Counsel for M/s. J.Anandhavalli Advocate for Appellants in SA.No.1549 of 2000 and for Respondents No.9 and 20 in SA.No.827 of 2002; Mr.T.N.Rajagopalan for Mr.S.Vellaichamy, Advocate for Respondent No.1 in SA.1549 of 2000 and for Respondents No.1,3 to 8 in SA.No.827 of 2002; Mr.M.P.Senthil, Advocate for Respondent No.11 in SA.No.1549 of 2000 and Mr.R.Babu Jegannath, Advocate for Respondent No.22 in SA.No.827 of 2002; Mr.Natarajan, Senior Counsel for M/s.Vijayakumari Natarajan, Advocate for Respondents No.17 to 20 in SA.No.1549 of 2000 and for Appellant in SA.No.827 of 2002 ; Mr.V.R.Shanmuganathan, Advocate for Respondents No.25 to 31 in SA.No.1549 of 2000 and for Respondents No.26, 28 and 29 for SA.No.827 of 2002 , none having appeared for the Respondents No.21 to 24 in SA.1549 of 2000 and for Respondents NO.30 to 37 in Sa.No.827 of 2002 either in person or through Counsel, this Court having stood over the matter for consideration till date, doth order and decree as follows :

i) that the judgment and decree, dated 22/06/2000 and made in AS Nos.155 of 1996 and 154 of 1997 on the file of the Additional District Court cum Chief Judicial Magistrate Court, cum Chief Judicial Magistrate Court, Ramanathapuram, confirming the judgment and decree, dated 25/03/1996 in OS No.82 of 1993 on the file of the Sub Court, Ramanathapuram be and hereby are confirmed.



ii) that these Second Appeals be and hereby are dismissed.

iii) that the Appellants herein/Defendants be and hereby are directed to pay sum of Rs.9519.50/- (Rupees Nine Thousand Five hundred and nineteen and Fifty paise only) being the cost incurred by the plaintiffs in the Original Suit and further Rs.10/- (Rupees Ten only (vakalath)) being the cost of Second Appeal to the Respondents/Plaintiffs.

Memorandum of costs (Respondents/Plaintiffs Cost)

O.S. Cost (as per decree) - Rs.9519.50

S.A Cost

(cost memo not filed) - 10.00

Sd/-

Assistant Registrar C S II

// True Copy //

/06/2025

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



1. The Additional District Judge Cum
Chief Judicial Magistrate, Ramanathapuram.

2. The Sub Judge, Ramanathapuram.

Copy to:

The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court, Madurai

+2 CCs to M/s.J.ANANDHAVALLI, Advocate, SR.Nos.31242 and 31276

+5 CCs to M/s.S.VELLAICHAMY, Advocate, SR.No.31275

+2 CCs to M/s.VIJAYAKUMARI NATARAJAN, Advocate , SR.Nos.31282 and 31283



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ORDER DATED : 29/05/2025

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DECREE

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SA Nos.1549 of 2000 & 827 of 2002

Dismissing the Second Appeals judgment and decree, dated 22/06/2000 and made in AS No.155 of 1996 and 154 of 1997 on the file of the Additional District Court, Ramanathapuram, confirming the judgment and decree, dated 25/03/1996 in OS No.82 of 1993 on the file of the Sub Court, Ramanathapuram, etc., as stated within.,

jj/10.06.2025 10P/14C

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