



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.06.2025

CORAM

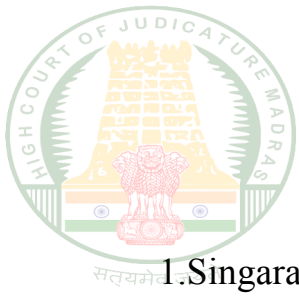
THE HON'BLE MR. JUSTICE R.VIJAYAKUMAR

S.A.No.406 of 2002

- 1.Lilly Sarojini Bai
- 2.Justin Christopher
- 3.Vadivel Nadar
- 4.Thangavel Nadar
- 5.Thankaswamy Nadar
- 6.Pichai alias Sundaram (died)
- 7.Vellayyan alias Kumaresan Nadar
- 8.Kumaradhas
- 9.Veludhas
- 10.Murugadas
- 11.Murugesan
- 12.Saragam
- 13.Maheswari
*(A12 and A13 have been impleaded vide
order dated 03.02.2016)*

.. Appellants

Vs.



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1.Singarayan

2.Ananthapadmanabhan

3.Chellappan

4.Thankappan

5.Thankamony

6.Visalakshi

7.Mangalakshi

8.Jaya

9.Chellam

10.Kumar

11.John

12.Sounder

13.Latha

14.Sheela

15.Thankammal

16.Sundara Raj

17.Radhakrishnan

18.Kumaradhas

19.Anitha

20.Vijayan



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21.Manoharan

22.Amutha

23.Kuzhanthavel Nadar

24.Dhiraviyam Nadar

25.Selvaraj

26.Arjunan

.... Respondents

PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code, against the Judgment and decree in A.S.No.75 of 1991 dated 02.04.2001 on the file of the Subordinate Judge, Padmanabhapuram pursuant to the judgment and decree dated 19.11.1990 in O.S.No.697 of 1985 on the file of the Principal District Munsif, Padmanabhapuram.

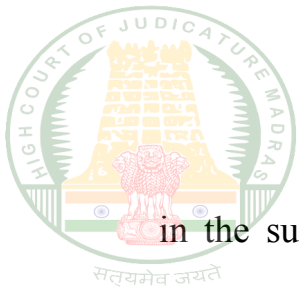
For Appellants : Mr.Sreekumaran Nair

For R1, R3 to R22 : Mr.R.Devaraj

JUDGMENT

This second appeal has been filed by the plaintiffs in O.S.No.697 of 1985 on the file of the Principal District Munsif Court, Padmanabhapuram.

2.The said suit has been filed for the relief of partition and separate possession. The suit was decreed and a preliminary decree was granted. Challenging the same, A.S.No.75 of 1991 was filed by some of the defendants



in the suit. The said appeal was allowed and the suit came to be dismissed.

Challenging the same, the present Second Appeal has been filed by the plaintiffs.

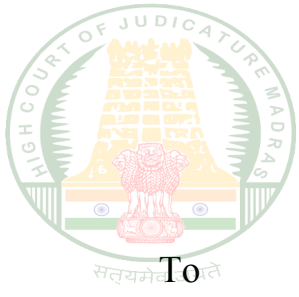
3.This Court has already passed orders, dismissing the application filed to implead the legal heirs of the deceased second respondent, who was arrayed as 6th defendant in the suit and the another application filed by the appellants to implead the legal heirs of the 24th respondent, who was arrayed as 2nd defendant in the suit.

4.Considering the fact that it is a partition suit and in view of the dismissal of the appeal as against some of the respondents, this Second Appeal cannot be proceeded with on merits.

5.In fine, this Second Appeal stands dismissed as abated. No costs.

Internet :Yes/No
Index :Yes/No
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11.06.2025



To

WEB COPY

1. Principal District Munsif,
Padmanabhapuram.
2. Subordinate Judge,
Padmanabhapuram.
3. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR, J.

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S.A.No.406 of 2002

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