



A.S.(MD)No.56 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 03.06.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

A.S.(MD)No.56 of 2013

Zaibunnisa

... Appellant / 14th Defendant

Vs.

1.E.S.Pappathi @ Sirajunnisa Beevi (died)

2.E.S.M.P.Kaleel

3.Ummarunnisa

4.Raziya Beevi

5.Fathima Beevi

6.Baby @ Jaina Beevi

7.Raziya Banu

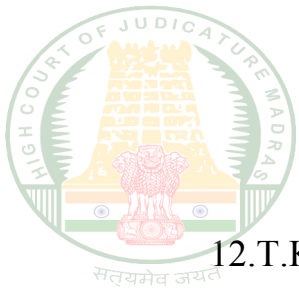
8.Sabiya Banu

9.Wahida Banu

10.Nazima Banu

11.T.Mohamed Iqbal

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12.T.Khaja Mydeen (died)

13.M.Sahida

14.T.M.Tajudeen

15.Fairoz Banu

16.T.Jabarullah

17.T.Haji Mohamed (died)

... Respondents /
Defendants 1, 4 to 11 & 13 to 20

18.Alaudeen

(18th respondent is brought on record as LR of the deceased 1st
respondent vide Court order dated 02.09.2025 made in
C.M.P.(MD)Nos.3437, 3438 & 3440 of 2023 in A.S.(MD)No.56
of 2013 by CVKJ & RVJ)

19.Zakira

20.Sheefa

(Respondents 19 & 20 are brought on record as LRs of the deceased
12th respondent vide Court order dated 02.09.2025 made in
C.M.P.(MD)Nos.3441 to 3443 of 2023 in A.S.(MD)No.56 of 2013
by CVKJ & RVJ)

21.Azkar

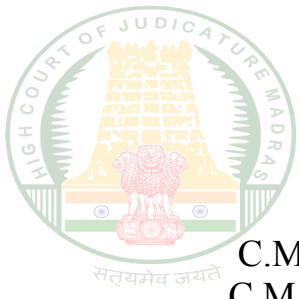
22.Shreem

23.Shahina

24.Fahim

(Respondents 21 to 24 are brought on record as LRs of the deceased
17th Respondent vide Court order dated 24.11.2025 made in

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C.M.P.(MD)No.3444, 3445 & 3446 of 2023 in
C.M.P.(MD)No.16818 of 2025 in A.S.(MD)No.56 of 2013
by CVKJ & RVJ)

... Respondents

PRAYER: Appeal Suit filed under Section 96 of the Civil Procedure Code praying this Court, to set aside the decree and Judgment passed in O.S.No.45 of 2004 on the file of the II Additional District and Sessions Court, Thanjavur, dated 09.10.2012.

For Appellants : Mr.V.K.Vijayaragavan

For Respondents : No appearance
(R11, R13, R15, R18 & R19, R1 to R24)
Steps Taken
(R1, R12 & R17 died)

JUDGMENT

(By G.R.SWAMINATHAN, J.)

The learned counsel for the appellant reports “no instruction”. The Appeal Suit is dismissed for non-prosecution. If any application for restoration is filed, it will not be entertained without going into the merits of the matter. No costs.

(G.R.S., J.) (R.P., J.)
03.06.2026

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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The II Additional District and Sessions Court, Thanjavur.



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G.R.SWAMINATHAN, J.
AND
R.POORNIMA, J.

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