



C.R.P. (MD) No. 1114 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2026

CORAM

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

C.R.P. (MD) No.1114 of 2024

Rajamony (Died)

- 1.Rajendran
- 2.David Raj
- 3.Mercy
- 4.Sarojini
- 5.Rayappan
- 6.Lalitha

... Petitioners

Vs.

Sabariyaradima (Died)

- 1.Wilson
 - 2.Aruldas
 - 3.Anantharaj
 - 4.Jayaraj
- Joseph Nadar (Died)
- 5.Sebastian Nadar
- Rajayyan Nadar (Died)



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- 6.Ambrose Nadar
- 7.Thomas Nadar
- 8.Chellayyan Nadar
- 9.Stephen Nadar
- 10.Devadhas Nadar
- 11.Varghese Nadar
- Swaminathan Nadar (Died)
- Kochan Nadar (Died)
- Kumaravelu Nadar (Died)
- Kuzhanthavel Nadar (Died)
- 12.Pooyan Nadar
- Palpu Nadar (Died)
- 13.Nallathampi Nadar
- 14.Ramayyan Nadar
- Kochappi Nadar (Died)
- 15.Poul Nadar
- 16.Kumaravelu Nadar
- 17.Ganamony Nadar
- 18.Kunjan Nadar
- Nallathampi Nadar (Died)
- 19.Chellamma Nadachi
- Varuvel Nadar (Died)
- Monian Nadar (Died)
- Kesavan Nadar (Died)



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20. Ramakrishnan Nadar
Appiyammal Nadachi (Died)
Kochan (Died)
Sivathanu (Died)
Esakku Nadar alias Kochan alias Ooli Nadar (Died)
Nesamony Nadar (Died)
John Nadar (Died)
Ponnupillai Nadar (Died)
Velayuthan Nadar (Died)
Udai Nadachi (Died)
Lekshmanan Nadar (Died)
21. Palayyan Nadar
Pakianathan (Died)
Samuel (Died)
Daniel (Died)
Ananthapalpu Nadar (Died)
Gnananmuthan Nadar (Died)
Swaminathan Nadar (Died)
Jacob (Died)
Sundararaj Nadar (Died)
22. Kochu Pillai
23. Victor
24. Gnanaprakasam Nadar
25. Ponnamma Nadachi



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Nallathami Nadar (Died)
Ponnumony Nadar (Died)
26.Subramonian
Ponnu Nadar (Died)
Appi Nadar (Died)
27.Kutty Nadar
Chinnakutty Nadar (Died)
Appavu Nadar (Died)
Nagamoni Nadar (Died)
Ananthapalpu Nadar (Died)
Sabarimuthu Nadar (Died)
Ponnumuthu (Died)
Sanku Nadar (Died)
28.Chockalingam Nadar
Mathuranayagom (Died)
29.Muthayyan
30.Chellan Nadar
31.Palayyan
32.Mariadhas Nadar
Arunachalam Nadar (Died)
33.Ponnayyan Nadar
34.Kalyani
Rajayyan Nadar (Died)
Natarajan Nadar (Died)



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- 35.Gnanaselvam
Thankammal Nadathi (Died)
- 36.Ponnayyan
Chinnathampi (Died)
- 37.Devadhas
- 38.Nagendran
- 39.Rosili
- 40.Thankamma
Gnanamma (Died)
- 41.Velayyan
- 42.Subbayyan
- 43.Selvamony
- 44.Chinthamony
Palamma Nadathi (Died)
- 45.Ramaswamy
- 46.Nesamony
- 47.Kamalam
- 48.Seelavathi
Kunji (Died)
- 49.Lekshmi
- 50.Muthu
- 51.Gnanammal
- 52.Janaki Ammal
- 53.Harichandran



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Muthunayagam (Died)

54.Chellammal

55.Appiyamma

Sundarakesi (Died)

56.Leela

57.Sathianesan

Selvam (Died)

58.GInduiel

59.Charles

60.Valsala

61.Nelson

62.Babudhas

63.Avurachan

64.Selvan

65.Saraswathi

66.Sivarambal

67.Thankavelu

68.Muthayyan

69.Manonmony

70.Bhargavan

71.Ramachandran

72.Jose

73.James

74.Glasten



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75.Benger

76.Usha

77.Rosal

78.Kamalam

79.Palamma

80.Thomas

81.Dharmaraj

82.Samraj

83.Davidraj

84.Nesaraj

85.Nesabai

86.Sobhana Bai

87.Lilli Bai

88.Pushpa Bai

89.Lalitha Bai

Chellamma (Died)

90.Azhakaraj

91.Sarojini

92.Crystal Suseela Bai (Minor)

93.Crystal Suseela Bai (Minor)

94.Crystal Suguna Bai (Minor)

95.Crystal Sunitha Bai (Minor)

96.Crystal Sundar Singh (Minor)

(Minor Respondents 93 to 96 represented by guardian and mother R91)



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- 97.Dharmadhas
98.Nesamony
99.Thankaraj
100.Manoharan
101.Gnanamma
Ponnu (Died)
102.Thankayyan
103.Thankamony
Muthayyan (Died)
104.Cheriyapillai
105.Stephen
106.Devaraj
107.James
108.Xavier
109.Arul
110.Maria Thangam
111.Alosious
112.Rosal
113.Johnson
114.Nesan
Varghese (Died)
115.Wilson
116.Jesili
117.Chinthamony Bai



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- 118.Selvaraj
- 119.Davidraj
- 120.Chellaian
- 121.Rajayyan
- 122.Thankaraj
- Sathianesan (Died)
- 123.Selvamony
- 124.Kunjukrishnan
- 125.Retnam
- 126.Thankappan
- 127.Chellayyan
- 128.Mary
- Domani (Died)
- 129.Pavustheen
- 130.Soman
- 131.Edison
- 132.Russelraj
- Kannamma (Died)
- 133.Rajendran
- 134.Raveendran
- 135.Rabi
- 136.Ramesan
- 137.Thankamma
- 138.Santhosh



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139.Shaji

140.Sujai

141.Suresh

142.Russel Isaac

143.Robert Cicil

144.John Selvaraj

145.Edwin Joseph

146.Paulraj

147.Pakiaraj

148.Moni

149.Sadasivam

150.Thankaraj

151.Chellakkon

152.Ponnayyan

153.Sundaram

154.Mahesh (Minor)

155.Sunil (Minor)

(Respondent-153 was recorded as guardian for minors RR154 and 155)

156.Pannirselvam

157.Satheesh Chandran (Minor)

158.Chandra Syamala (Minor)

(RR157 and 158 are represented by Court Guardian Mr.C.M.Palraj)

159.Annamma

160.Bennetraj



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- 161.Noblen
162.Edwin Vijayakumar
163.Arul Bai
164.Jayakumar
165.Sarojam
166.Thankappan
167.Selvan
168.Kettai
169.Muthunayagom
170.Nesamony
171.Valarmathi
172.Jagatheesan
173.Jayalalitha

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, seeking to expedite the proceedings in E.P. No. 45 of 2019 in O.S. No. 422 of 1956 on the file of the Additional District Munsif Court, Kuzhithurai.

For Petitioners : Mr.R.Nandakumar

For RR61, 63 & 64: Mr.M.Punitha Devakumar



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ORDER

Heard Mr. R.Nandakumar, Learned Counsel for the Petitioners and Mr. M.Punitha Devakumar, Learned Counsel for the Sixty First, Sixty Third and Sixty Fourth Respondents and perused the materials placed on record, apart from the pleading of the parties.

2. This Civil Revision Petition under Article 227 of the Constitution of India has been filed to expedite the disposal in E.P. No. 45 of 2019 in O.S. No. 422 of 1956 on the file of the Additional District Munsif, Kuzhithurai (hereinafter referred to as 'the Trial Court' for short).

3. This Court, during earlier hearing on 30.04.2024, had passed the following order:-

“2. The Additional District Munsif, Kuzhithurai shall send the scanned/digitized/photocopy of the entire records in O.S. No. 422 of 1956 and E.P. No. 45 of 2019 along with connected applications to this Court, in terms



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of the Circular in R.O.C. No. 27484/2018/F1 dated 18.06.2018 issued by the Registry of this Court.

3. The Additional District Munsif, Kuzhithurai shall send a report as to whether there is any impediment for conducting further proceedings in O.S. No. 422 of 1956 and if so, explain the reasons for the same, before the next hearing.”

4. In furtherance to the said order, the Trial Court has sent a report dated 03.06.2024, which reads as follows:-

“I humbly submit that the E.P. No. 45 of 2019, is one filed for delivery of the following plots of Ex.C2 of final decree to the Petitioners as mentioned below,

Petitioners No. 1-3 (Defendants No.163-165) - Plot No.13
Petitioners No. 4-6 (Defendants No.77-79) - Plot No.29
Petitioner No. 7 (Defendant No.190) in favour of Petitioner No.6 on behalf of Petitioners No.4-7 - Plot 2B

Further, it is also prayed for removal of shed constructed by Defendant No. 240 in Plot No. 13.



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I humbly submit that, on the date of filing, totally 234 Respondents were impleaded. On service of summons to the Respondents in the E.P., many respondents were reported as dead. So, the Petitioners filed petitions for impleading Legal Representatives of deceased respondents for some of the respondents and for some Respondents, Petitions filed for exemption to implead Legal Representatives. Already, some of such above petitions were disposed. As of now, the following petitions were pending for the reasons as stated below.

Petition Nos.	Relief Sought for	Stage of the Petition
E.A. No. 10/2019	To remove Respondent No. 71 from the E.P.	For taking steps to implead Legal Representatives of deceased Respondents.
E.A. No. 3/2021	To implead Legal Representatives of Respondent No.156 as Respondent No. 251.	For filing of Counter by some of the Respondents.
E.A. No. 4/2021	To implead Legal Representatives of deceased Petitioner No.1 as Petitioners No. 8-10.	For filing of Counter by some of the Respondents.



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E.A. No. 5/2021	To implead Legal Representatives of deceased Respondent No. 191 and Respondent No. 160 as Respondents No. 241, 242 and Respondent No. 248 respectively. Further for exemption from impleading Legal Representatives of deceased Respondents No. 34, 37, 42, 43, 52, 58, 60, 67, 69, 108, 135, 144, 172, 181, 193 and 231.	For filing of Counter by some of the Respondents.
E.A. No. 6/2022	To implead a 3 rd party as Respondent No. 252.	For filing of Counter by some of the Respondents.
E.A. No. 7/2022	To receive Additional documents in E.A. No. 3/2021	For filing of Counter by some of the Respondents.
E.A. No. 8/2022	To implead Legal Representatives of deceased Respondent No. 252 in E.A. No. 6/2022 as Respondents No. 253 and 254.	Exparte set aside Petition of Respondent No. 253 in E.A. No. 11/2023 is pending.
E.A. No. 11/2023	To set aside exparte order against Respondent No. 253.	For filing of Counter by some of the Respondents.
E.A. No. 12/2023	To implead Legal representatives of deceased Respondent No. 185 as Respondents No. 255 and 256.	Pending for filing of Counter by the Respondents.



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I humbly submit that, now, the E.P. is posted on 24.06.2024. After, disposal of above listed 9 E.A's, the main E.P. will taken for hearing.

I humbly submit that, further for the Respondents sought to be impleaded, opportunity will be given to file Counter. Thereafter, the enquiry will be heard in the main E.P.

I humbly submit that the above said disposal of E.A.'s are impediment in disposing the main E.P.. So, I humbly request that for disposal of the main E.P. a time span of 3 to 6 months, is required and may be granted if your Lordship Pleases.”

Having regard to the said report, the Execution Court shall take up the pending Execution Applications as expeditiously as possible. Depending upon the outcome of the Execution Applications, the learned Additional District Munsif, Kuzhithurai, shall dispose the E.P.No.45 of 2019 in O.S.No. 422 of 1956 within a period of six months from the date of receipt of a copy of this order.



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In the result, the Civil Revision Petition is disposed on the aforesaid terms. No costs.

21.01.2026

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

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To

- 1.The Additional District Munsif,
Kuzhithurai
- 2.The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai.



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N.SENTHILKUMAR, J.

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