



A.S.(MD)No.216 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.03.2026

CORAM

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

**A.S.(MD)No.216 of 2018
and
C.M.P.(MD)No.12458 of 2018**

1.R.N.Mahalinga Nadar and Co.,
Through R.Mahalinga Nadar,
71, East Masi Street
Madurai 625 001.

2.K.Alagarsamy

... Appellants

Vs.

1.A.K.Iyappan
For Himself and as Trustee of Samayakone Trust,
S/o.A.Kuppusamy Konar,
Trustee, T.Samayakone Trust,
3, Vengalakadai 1st Lane,
Madurai - 625 001.

Rukumani (Died) (Exonerated)

Poonsolaimalai (Died)

2.Venkatesan

Ammapillai Ammal (Died)

3.Rajamani

4.Sarojini

1/9



A.S.(MD)No.216 of 2018

5.Meenkakshi

S.Thirumalai @ Mani (Died)

6.S.Ramachandran

7.S.Govindan

8.S.Manickam

9.S.Srinivasan

10.Saraswathi

11.Rani

12.Jeya

13.Ravi

C.Arthur (Died)

14.S.Suriyakanthi Ammal

E.M.S.Mohan (Died)

15.E.M.S.Sukumaran

E.M.S.Paramasivam (Died)

16.E.M.S.Sudhakar

E.M.S.Manikandan (Died)

17.E.M.S.Senthilkumari

18.E.M.S.Velmurugan

19.Thavamani

20.Moorthy

V.Chellaih (Died)

R.Muniammal @ Selvarathi (Died)

22.K.Pappathi Ammal

23.K.Vairamuthu (Exonerated)



A.S.(MD)No.216 of 2018

- 24.Jeyalakshmi Trading Co., (Exonerated),
Through one of its Partners, Murugan,
Business At 2, Vengalakadai Strett,
1st Lane, Madurai - 625 001.
- 25.G.Balasubramanian Traders (exonerated),
Through one of its Partners, Subbaiah,
Business At 2, Vengalakadai Street,
1st Lane, Madurai - 625 001.
- 26.Thayagam Traders (exonerated),
Through one of its Partners, Rajasekaran
Business At 2, Vengalakadai Street,
1st Lane, Madurai - 625 001.
- 27.Super Star Chemicals (exonerated),
Through one of its Partners, James,
Business At 2, Vengalakadai Street,
1st Lane, Madurai - 625 001.
- 28.Dhakshinamoorthy (exonerated),
Proprietor, Senthil Traders,
Business At 2, Vengalakadai Street,
1st Lane, Madurai - 625 001.
- 29.Jeyamani Trading Company (exonerated),
Through one of its Partners, Jeyamani,
Business At 2, Vengalakadai Street,
1st Lane, Madurai - 625 001.
- 30.Sri Andavar & Co., (exonerated),
Through one of its Partners, Mahendran,
Business At 3-A, Vengalakadai Street,
1st Lane, Madurai - 625 001.
- 31.S.Sundaresan (exonerated)
- 32.Mariammal (exonerated)



A.S.(MD)No.216 of 2018

- 33.S.Siddharthan (exonerated)
- 34.S.Sridharan (exonerated)
- 35.Ramasamy Pillai (exonerated)
- 36.V.Subbiah (exonerated)
- 37.S.Mariappan (exonerated)
- 38.Ramaiah Chettiar (exonerated)
- 39.S.Muthu (exonerated)
- 40.A.Dhanabalan (exonerated)
- 41.R.Ethiraj (exonerated)
- 42.S.Lakshmi Ammal (exonerated)
- 43.R.Nagendran (exonerated)
- 44.P.Murugan (exonerated)
- 45.L.Nachimuthu Chettiar (exonerated)
- 46.N.Murugesan (exonerated)
- 47.S.Liyakath Ali
- 48.V.Santhanam Ambalam (exonerated)
- 49.V.Ambalam @ Muthukaruppan (exonerated)
- 50.V.Chinnasamy Ambalam (exonerated)
- 51.Ramu Thevar (exonerated)



A.S.(MD)No.216 of 2018

- 52.The Executive Officer,
Arulmigu Kallalagar Thirukovil,
Alagarkovil, Melur Taluk,
Madurai District.
- 53.The Madurai City Municipal Corporation (exonerated),
Through its Commissioner, Anna Maligai,
Alagarkoil Road, Madurai 625 002.
- 54.Kala
- 55.Karmegam (exonerated)
- 56.Kannan (exonerated)
- 57.S.K.M.Coffee Bar,
Through its Proprietor,
East Masi Street,
Madurai.
- 58.S.Rajapillai (exonerated)
- 59.M.Achikannu
- 60.M.Sakthi Devi
- 61.M.Gayathiri
- 62.Minor M.Sudharsan,
Rep. by his Mother and Natural Guardian,
M.Aachikannu.
- 63.S.Seethalakshmi
- 64.Jeyaprakash
- 65.Velmurugan
- 66.P.Muthulakshmi
- 67.P.Senthamil Selvam



A.S.(MD)No.216 of 2018

68.P.Prabakaran

69.P.Divya

70.Latha Mangesh

71.Minor M.Rajkiran,
Rep by his Mother and Natural Guardian,
Latha Mangesh.

72.Minor M.Suriya
Rep by his Mother and Natural Guardian,
Latha Mangesh.

73.M.Selvaraj

74.S.Prabhu

75.A.Kalpana

76.A.Vasu

77.J.Latha

78.A.Thiruppathi

... Respondents

Prayer : Appeal Suit filed under Order 41 Rules 1 and 2 r/w. Section 96 of Civil Procedure Code, to set aside the judgment and decree dated 03.03.2018 passed in O.S.No.356 of 2004 by the learned IV Additional District Judge, Madurai.

For Appellants : Mr.A.P.Athithan

For Respondents : Mr.H.Arumugam for R1
Mr.I.Joshuva for R21



A.S.(MD)No.216 of 2018

JUDGMENT

(Judgment of the Court was delivered by G.R.Swaminathan, J.)

In view of the judgment and decree dismissing A.S.(MD)No.163 of 2018, A.S.(MD)No.20 of 2020 and A.S.(MD)No.122 and 277 of 2021, the learned counsel for the appellants on instructions concedes that the appellants recognize Samayakone Trust as their landlord. They further undertake to pay rental arrears from March, 2018 and be prompt in paying future rents directly to the trust. We grant liberty to the plaintiff / trust to treat the appellants as their tenants and deal with them in the manner known to law. The disposal of this appeal will not come in the way of the suit trust from exercising its right as a landlord of the suit property.

2.This appeal is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S. J.) & (R.P. J.)
03.03.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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A.S.(MD)No.216 of 2018

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To:

The IV Additional District Court,
Madurai.

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The Section Officer,
ER/VR Section,
Madurai Bench of Madras High Court,
Madurai.



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A.S.(MD)No.216 of 2018

G.R.SWAMINATHAN, J.
and
R.POORNIMA, J.

ias/skm

A.S.(MD)No.216 of 2018

03.03.2026
(2/2)