



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEDNESDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY

PRESENT :

THE HONOURABLE MR.JUSTICE T.RAJA

C.M.S.A.No.28 of 2008

B.Magesh Kumar		...Appellant/Petitioner
	Vs	
R.Bhuvaneshwari		...Respondent/Respondent

Civil Miscellaneous Second Appeal against the Order of the District Judge, Uthagamandalam in CMA No.14/2008, dated 07/03/2008 by reversing the judgment and decree of the HMOP.No.35 of 2006 on the file of the Subordinate Judge, Uthagamandalam, dated 06.10.2007.

Decree : This Civil Miscellaneous Second Appeal coming on for hearing on this day and upon perusing the petition of Appeal, the order of the Lower Court and the material papers relating to this case and upon hearing the arguments of Mr.Venkatajalapathy, Advocate for M/s.S.Kadarkarai for the Appellant and of M/s. Lenin & Bhagya, Advocate for the Respondent and this court while recording the affidavit dated 15/12/2020 filed by the respondent/wife, and by allowing the Appeal doth order and decree as follows :-

1. that the judgment and decree dated 07/03/2008 passed in CMA No.14 of 2008 on the file of the District Judge, The Nilgiris at Uthagamandalam be and hereby are setaside and the judgment and decree dated 06/10/2007 made in HMOP No.35 of 2006 on the file of the Subordinate Judge, The Nilgiris at Uthagamandalam be and hereby are restored; and

2. that there be no costs in this CMSA.

* Xerox copy of Affidavit of Mrs.R.Bhuvaneshwari enclosed.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

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To

1. The Subordinate Judge,
The Nilgiris at Udhagamandalam.

2. The District Judge,
The Nilgiris at Udhagamandalam.

+1cc to M/s.Lenin & Bhagya & A.Sasikumar, Advocate, S.R.No.41522

Dated : 16/12/2020

Decree

CMSA.No.28 of 2008

Allowing the Civil Miscellaneous Second Appeal preferred against the judgment and decree of the court of the District Judge, The Nilgiris at Udhagamandalam dated 07/03/2008 made in CMA No.14/2008, by reversing the judgment and decree of the court of the Subordinate Judge, The Nilgiris at Udhagamandalam dated 06/10/2007 made in HMOP No.35/2006 etc. as stated therein.

SAI (CO)
RVM(28/07/2021)