



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Wednesday, the Sixteenth day of November Two Thousand and Sixteen

PRESENT

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Second Appeal (MD) No.89 of 2011

Sundara Desikachariyar

...Appellant/Appellant/Plaintiff

-Vs-.

Sri Sarangapani Koil,

Kumbakonam,

Rep. by its Executive Officer.

...Respondent/Respondent

/Defendant

Second Appeal filed under Section 100 of Civil Procedure Code, preferred against the judgment and decree of the Principal Subordinate Judge, Kumbakonam in Appeal Suit No.91/2008 dated 24.09.2010 against the decree of the court of the II Additional District Munsif-cum-Judicial Magistrate, Kumbakonam in O.S.No.110 of 2007 dated 30.06.2008.

DECREE: This second appeal coming on for hearing under the provisions of Rule II of Order XLI of Schedule I of the code of Civil Procedure 1908, upon perusing the grounds of appeal and the judgments and decrees of the lower appellate court and the court of first instance and upon hearing the arguments of Mr.R.Subramanian, Advocate for the appellant and of Mr.M.R.S.Prabhu for Mr.K.Vijayaraghavan, Advocate for the respondent this court, while dismissing the second appeal, doth order and decree as follows:-

i)that the judgment and decree passed by the Principal Subordinate Judge, Kumbakonam in Appeal Suit No.91/2008 dated 24.09.2010 by confirming judgment and decree of the II Additional District Munsif-cum-Judicial Magistrate, Kumbakonam in O.S.No.110 of 2007 dated 30.06.2008 be and hereby are confirmed; and

ii)that there be no costs in this appeal.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS)

Madurai Bench of Madras High Court,

Madurai-23.

To

1.The Principal Subordinate Judge, Kumbakonam.

2.The II Additional District Munsif-cum-Judicial Magistrate, Kumbakonam.



Copy to : The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/s.V.K.Vijayaragavan, Advocate in SR.70021

+1cc to M/s.R.Subramanian, Advocate in SR.69646

ORDER DATED : 16.11.2016

DECREE

SA(MD)No.89 OF 2011

Nature of Decree: Dismissing the appeal preferred against the judgment and decree of the Principal Subordinate Judge, Kumbakonam dated 24.09.2010 in AS.No.91/2008 etc., as stated within.

PBK/EM-MPA 03/01/2017 ::4P-6C: