



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Tuesday, the Twenty First day of November, Two Thousand and Seventeen

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PRESENT

THE HONOURABLE MRS. JUSTICE J. NISHA BANU

C.M.S.A (MD) No. 20 of 2016

A. Aswini,
D/o. Raveendran,
No. 28A, North Agraharam,
Valangaiman-612 804
Thiruvavur District.

... Petitioner

Vs.

T. Rajavarman,
S/o. Thirunavukkarasu Menetrayar,
No. 234, South Street, Valamirankottai Post,
Thanjavur Taluk, Thanjavur District.

... Respondent

PRAYER:- Civil Miscellaneous Second Appeal is filed under Section 28 of H.M.O.P. read with 100 of C.P.C to set aside the judgment and decree dated 20.06.2016 in C.M.A.No.45 of 2015 on the file of the Additional District Court/Fast Track Court at Kumbakonam reversing the order and decreetal order dated 30.06.2015 in H.M.O.P.No.69 of 2013 on the file of the Principal Sub-Court, Kumbakonam and allow the Civil Miscellaneous Second Appeal as prayed for.

DECREE: This Civil Miscellaneous Second Appeal is coming for orders on this day and upon perusing the grounds and the records and the material papers in the case and upon hearing the arguments of Mr. ARL. Sundaresan, Senior Advocate for the appellant and of Mr. D. Senthil, Advocate for the Respondent and having stood over for consideration till date, this Court, while allowing this appeal, doth order and decree as follows:

1) that the Judgment and Decree dated 20.06.2016 in

<https://hcmcs.courts.gov.in/hcmcservices/> C.M.A.No.45 of 2015 passed by the Additional District Judge (FTC), Kumbakonam by reversing the order and decreetal order dated



30.06.2015 in HMOP No.69/2013 on the file of the Principal Sub Court, Kumbakonam be and hereby are set aside and the Civil Miscellaneous Appeal is allowed;

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2)that there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar.

To,

(1)The Additional District Judge/Fast Track Court
Kumbakonam.

(2)The Principal Subordinate Judge,
Kumbakonam.

Copy to:-

The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.G.Innisai, Advocate, SR.No. 88401

+1CC to Mr.D.Senthil, Advocate, SR.No. 88427

ORDER DATED : 21.11.2017

DECREE

C.M.S.A(MD)No. 20 of 2016

Allowing this Civil
Miscellaneous Second Appeal etc.,
as stated within.

KK/SV MMS/SAR4/04/12/2017/2P/6C