

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

Wednesday, the Twentieth day of September Two thousand and
Seventeen

WEB COPY

PRESENT:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
SECOND APPEAL (MD) No.317 of 2015

O.S.K.DAVID, S/O.KROOSE (LATE)
5/3228 VALASAI ST, THANGACHIMADAM VILLAGE,
RAMESWARAM TK.

... Appellant

Vs.

D.RETHINAM, S/O.LATE LAKSHMANAKONAR,
MIDDLE ST, THANGACHIMADAM VILLAGE,
RAMESWARAM TK.

... Respondent

PRAYER: Second Appeal filed under Section 100 of CPC, to set aside the judgment and decree of the learned 16.02.2015, made in A.S.No.9 of 2012, on the file of the learned Subordinate Judge, Ramanathapuram, reversing the judgment and decree, dated 17.02.2010, made in O.S.No.32 of 2008 of the learned District Munsif-cum-Judicial Magistrate, Rameswaram, and allow the Second Appeal.

DECREE: This Second Appeal coming on for hearing on this day, upon perusing the Grounds of Appeal, the judgment and Decree of the Lower Appellate Court and that of the court of first instance and the material papers in the Appeal and upon hearing the arguments of Mr.ARL.Sundaresan, Senior Counsel for Mr.T.Pon Ramkumar, Advocate for the Appellant and of Mr.K.Suresh, Advocate for the Respondent, this Court doth Order and decree as follows:

1.That the Judgment and decree passed by the learned Sub Judge, Rmanathapuram dated 16.02.2015, made in A.S.No.9 of 2012, reversing the judgment and decree, dated 17.02.2010, made in O.S.No.32 of 2008 of the learned District Munsif-cum-Judicial Magistrate, Rameswaram, be and hereby are confirmed and the Second Appeal is dismissed;

2.And that, there be no costs in this Second Appeal.

Sd/-

Assistant Registrar(CS-III)

/True Copy/



To

1.The Subordinate Judge, Ramanathapuram.

2.The District Munsif cum Judicial Magistrate, Rameswaram.

Copy to:

The Record Keeper,
VR Section,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S. T.Pon Ramkumar, Advocate, SR.No.79782.

ORDER DATED : 20.09.2017

DECREE

S.A.(MD) No.317 of 2015

Dismissing this Second Appeal
etc., as stated within.

SDS/JC/SAR 1/05.10.2017/2P/5C