



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Tuesday, the Twenty first day of February Two Thousand Seventeen

PRESENT

WEB COPY

The HONOURABLE MR.JUSTICE M.DURAISWAMY

S.A(MD)No.57 of 2017

- 1.The State of Tamil Nadu,
Rep. By its Secretary to Government,
Health and Family Welfare Department,
Chennai.
- 2.The Chief Medical Officer,
Tuticorin Medical College Hospital,
Tuticorin. .. Appellants/Defendants 2 & 3/
Defendants 1 & 2

Vs.

- 1.Jeyalakshmi ..1st Respondent/1st Respondent/
Plaintiff
- 2.Poongothai
- 3.Fathima
- 4.Subburathinam ..Respondents 2 to 4/Respondents 4 & 5
& Appellant/Defendants 3 to 5

Second Appeal is filed under Section 100 of the Civil Procedure Code, Appeal against the Judgment and Decree, dated 28.02.2006 made in Appeal Suit.No.52 of 2005 on the file of the Principal District Judge, Tuticorin, against the partly allowing the Judgment and Decree, dated 08.04.2005 made in O.S.No.326 of 2003 on the file of the Sub Court, Tuticorin.

DECREE: This Second Appeal coming on for hearing on this day upon perusing the Grounds of Appeal, the Judgement and Decrees of the Lower Appellate Court and the Court of first instance and the material papers in the suit and upon hearing the arguments of Mr.R.Anandha Raj, Government Advocate for the Appellant, and of Mr.S.Siva Ilayaraja, Advocate for the first respondent and of Mr.A.W.D.Thilok, Advocate for the 2nd respondent and of Mr.B.Rajesh Saravanan, Advocate for



the fourth respondent this Court doth order and decree as follows:

1. that the second Appeal against the judgment and decree passed in A.S.No. 52/2005 dated 28.02.2006 on the file of the Principal District Judge, Tuticorin partly allowing the judgment and decree passed in O.S.No. 326 of 2003 dated 08.04.2005, on the file of the Sub Court, Tuticorin, be and hereby is confirmed and this Second Appeal is dismissed.

2. that there be no order as to costs in this Second Appeal.

Sd/
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar.

To

1.The Principal District Judge, Tuticorin.

2.The Subordinate Judge, Tuticorin.

+1CC to M/S.B.Rajesh Saravanan, Advocate, SR.No. 9990

+1CC to M/S.S.Siva Ilayaraja, Advocate, SR.No. 9351

+1CC to the Special Government Pleader, SR.No. 10101

DATED : 21.02.2017

DECREE

SA(MD)NO. 57 OF 2017

Dismissing this Second Appeal against the judgment and decree passed in A.s.No.52/2005 dated 28.02.2006 on the file of the Principal District Judge, Tuticorin and etc., as stated within.

AM/JM/SAR-2/06.03.2017/2P/6C