



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

FRIDAY, THE TWENTIETH DAY OF FEBRUARY, TWO THOUSAND SEVENTEEN

WEB COPY

P R E S E N T

THE HONOURABLE MR.JUSTICE M.DURAISWAMY

S.A.(MD)NO.511 OF 2011

1.M.Sankar Nadar

2.S.Sundar Raj

.. Appellants/Respondents/Defendants

Vs.

Deva Krishnan

.. Respondent/Appellant/Plaintiff

Second Appeal filed U/S 100 of the CPC, against the judgment and decree passed in A.S.No.9 of 2010, dated 29.06.2010 on the file of the Subordinate Judge, Uthamapalayam in reversing the judgment and decree passed in O.S.No.6 of 2009, dated 15.12.2009, on the file of the Principal District Munsif, Uthamapalayam.

DECREE: This Second Appeal coming on for hearing on Thursday, the fifth day of January 2017; upon perusing the grounds of Appeal, the Judgment and Decree 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.V.MEENAKSHI SUNDARAM for MR.D.NALLATHAMBI, Advocate for the Appellant and of MR.S.PARTHASARATHY, Advocate for the respondent, and having stood over for consideration till date, while allowing this Second Appeal, this Court doth order and decree as follows:-

i. that the judgment and decree passed in A.S.No.9 of 2010, dated 29.06.2010 on the file of the Subordinate Judge, Uthamapalayam be and hereby are set aside and the suit in O.S.No.6 of 2009 on the file of the Principal District Munsif, Uthamapalayam, be and hereby is dismissed;

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

Sd/

Assistant Registrar(C.S-I)

/TRUE COPY/

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Sub Assistant Registrar



To

1. The Subordinate Judge, Uthamapalayam.
 2. The Principal District Munsif, Uthamapalayam.
 3. The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.
- +1cc to M/s.D.Nallathambi, Advocate, in SR No.3296.
- +1cc to M/s.S.Parthasarathy, Advocate, in SR No.3319.

ORDER DATED : 20.01.2017

DECREE

S.A.(MD)No.511 of 2011

Nature of DECREE: Allowing this Second Appeal against the judgment and decree passed in A.S.No.9 of 2010, dated 29.06.2010 on the file of the Subordinate Court, Uthamapalayam in reversing the judgment and decree dated 15.12.2009, passed in O.S.No.6 of 2009, on the file of the Principal District Munsif, Uthamapalayam and etc., as stated within.

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