



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Tuesday, the Tenth day of April Two Thousand and Eighteen
PRESENT
The Hon`ble Mr.Justice S.S.SUNDAR
SA(MD) No.204 of 2013

WEB COPY

S.Chokalingam : Appellant / Appellant
/ Respondent / Plaintiff

-Vs-

1.Subramaniam : 1st Respondent / 1st Respondent
/ 3rd Party / 1st Defendant

2. Kallidaikuruchi Urban Co-operative Bank Ltd., 01521
Represented by its General Manager,
Kallidaikuruchi,
Ambasamudram Taluk,
Tirunelveli District. : 2nd Respondent / 2nd Respondent
Appellant in Cross Appeal
/ 2nd Defendant

Appeal against the decree of the Subordinate Judge, Ambasamudram, dated 08.01.2013, in A.S.No.30 of 2011, and Cross Appeal No.30A of 2011 preferred against the decree of the Court of the Additional District Munsif, Ambasamudram in O.S.No.232 of 2007, dated 23.03.2011.

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 judgment and decrees of the Lower Appellate Court and the court of first Instance and upon hearing the arguments of Mr.N.Meenakshi Sundaram, Advocate for the Appellant and of Mr.R.Vel Murugan, Advocate for the second Respondent and the first respondent not appearing in person or by an Advocate and upon considering the submission of the counsel for Appellant that the entire mortgage loan has been settled in full this court while dismissing this Second Appeal as infructuous, doth order and Decree as follows:

i) that the Appellant herein be and is hereby permitted to withdraw of Rs.1,00,000/- (Rupees one Lakh only) which is deposited to the credit of O.S. No.232 of 2007 on the file of the Additional District Munsif, Ambasamudram;

ii) that there be no costs in this Second Appeal.

Sd/-
Assistant Registrar(RTI)



To

1. The Subordinate Judge,
Ambasamudram.

2. The Additional District Munsif, Ambasamudram.

3. The Section Officer, (2 copies)
Vernacular Records Section,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.R.Vel Murugan, Advocate Sr.No.60959

+1cc to Mr.D.Nallathambi, Advocate Sr.No.60622

VB/SKN/RSK/SAR4/08/06/2018/2P/7C

DATED :10/04/2018

DECREE

SA(MD) No.204 of 2013

Nature of the Decree:
Dismissing the second Appeal
preferred against the judgment
and decree passed by the
Subordinate Judge, Ambasamudram
in A.S.No.30 of 2011 in Cross
Appeal No.30A of 2011, dated
08.01.2013, etc., as stated
within.