



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Friday, the Twelfth day of July Two Thousand Nineteen
PRESENT

The Hon`ble Mrs.Justice R.THARANI

WEB COPY

SA(MD) . No.374 of 2009

T.RAJARAM ... Appellant/Appellant/Plaintiff
Vs

1 SUJIN CHRISTUS

2 M.KRISHNAMOORTHY ... Respondents/Respondents/Defendants 2&3

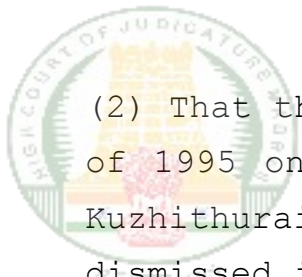
PRAYER:-

Second Appeal is filed under Section 100 Civil Procedure Code, to set aside the Judgment and Decree passed in A.S.No.64 of 2005 dated 28.01.2008 on the file of the learned Subordinate Judge, Kuzhithurai partially confirming and modifying the decree and judgment dated 09.02.2005 made in O.S.No.371 of 1995 on the file of the learned II Additional District Munsif, Kuzhithurai.

DECREE:-

This Second Appeal coming on for hearing on Thursday the Sixth day of June Two Thousand and Nineteen , upon perusing the grounds of Appeal, the judgments 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.P.THIAGARAJAN, Advocate for the Appellant and Respondent 1 not appearing either in person or by an advocate and Respondent 2 already Given up (vide in E.B.) and having stood over for consideration till this day, this court doth order and decree as follows:-

(1) that the Judgment and Decree passed in A.S.No.64 of 2005 dated 28.01.2008 on the file of the learned Subordinate Judge, Kuzhithurai be and hereby is set aside;



(2) That the decree and judgment dated 09.02.2005 made in O.S.No.371 of 1995 on the file of the learned II Additional District Munsif, Kuzhithurai be and hereby is Confirmed and thereby the suit is dismissed in its entirety and the Second Appeal is Dismissed;and

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(3) That there be no costs in this Appeal.

Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar(CS)

TO

1. The Subordinate Judge, Kuzhithurai
2. The II Additional District Munsif, Kuzhithurai.

Copy to:

The Section Officer,
V.R. Section,

Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to M/s.P.THIAGARAJAN, Advocate (SR-75328 dated 15/07/2019)

ORDER DATED : 12/07/2019

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DECREE

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SA(MD) . No.374 of 2009

Nature of Decree:- Dismissing
the Second Appeal Judgment
and Decree passed in
A.S.No.64 of 2005 dated
28.01.2008 on the file of
the learned Subordinate Judge,
Kuzhithurai partially
confirming and modifying
the decree and judgment
dated 09.02.2005 made in
O.S.No.371 of 1995 on the
file of the II Additional
District Munsif, Kuzhithurai,
as stated with in

KK/SAR/30.07.2019/2P-6C