



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Tuesday, the Thirtieth day of July, Two Thousand and Nineteen
PRESENT:

THE HONOURABLE MRS. JUSTICE J.NISHA BANU
SECOND APPEAL (MD) No.24 of 2019

P.Gnanaraj

... Appellant/ Appellant / 1st defendant
Vs.

1.P.Jebaraj

...1st respondent/1st respondent/Plaintiff

2.P.Rachel Sugirtharaj

3.P.Esthar Rajan

4.P.Ebzi Rajkumar

5.P.Jeya Singh

6.P.Alice Victor

... Respondents 2 to 6/Respondents 2 to 6 /
Defendants 2 to 6

This Second Appeal is filed under Section 100 of the Civil Procedure Code, 1908 against the judgment and decree, of the II-Additional District and Sessions Judge, Tuticorin dated 25.02.2015 passed in A.S.No.38 of 2013, confirming the judgment and decree of the Subordinate Judge, Tuticorin dated 18.06.2012 passed in O.S.No.74 of 2007.

DECREE:-This Second Appeal came up for hearing on Monday, the Eighth day of April, Two Thousand and Nineteen, 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.S.Muthal Raj, Advocate for the Appellant and of Mr.T.R.Jeyapalam, Advocate for the first Respondent, the third respondent not appearing either in person or through an Advocate and having stood over the matter for consideration till this date, this Court doth order and decree as follows:-

(1) That the Second Appeal be and hereby is dismissed;

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

SCHEDULE OF PROPERTY

SCHEDULE-I

In Tuticorin ReD Tuticorin Kelur sub-Re, Tuticorin Town, Nadar Street North, the house bearing D.No.35.

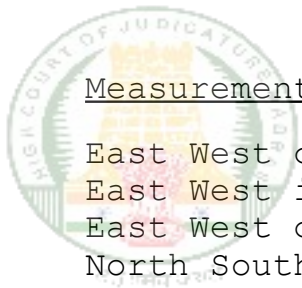
Boundaries:

North : East West Nadar Street

South : House belongs to Abbass Maraikayar

East : House belongs to Thangaiah Nadar and Common Wall

West : House belongs to Mr.Narayanan Nadar



Measurements:

East West on the North : 15 ½ ft
East West in the Center : 13 ft
East West on the South : 10 ft
North South on both side : 74 ½ ft
(Value Rs.4,50,000/-)

WEB COPY

SCHEDULE-II

Tirunelveli District, Radhapuram Taluk, Thisayanvilai Village,
Idayankudi Arockia Street, Natham Survey No.593/3

Boundaries:

North : House belongs to Sinthamani Ammal
South : House belongs to Jebagnanam
East : House belongs to Arumainayagam
West : Street

Measurements:

East West on both side : 55 ft
North South on both side : 35 ft
(Value Rs.1,01,000/-)

SCHEDULE-III

In Tirunelveli District, Radhapuram Taluk, Thisayanvilai
Village, an extent of 0.91.0 Hes in Survey No.598/1B2.

Boundaries:

North : Property belongs to Mr.Davidhu Nadar
South : Property belongs to Mr.Velaiyah Nadar
East : Property belongs to Mr.Muthaiah Nadar
West : Muthumothamozhi village Limit.

(Value Rs.1,50,000/-)

Sd/-

Assistant Registrar (CS-II)

// True Copy //

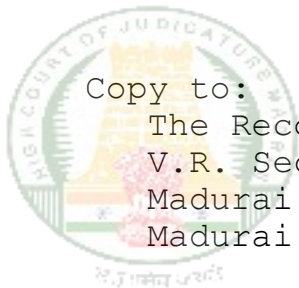
Sub Assistant Registrar (CS)

To

1. The II-Additional District and Sessions Judge,

<https://hcservices.tuticorin.in/hcservices/>

2. The Subordinate Judge, Tuticorin.



Copy to:
The Record Keeper,
V.R. Section, (2 copies)
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.T.R.JEYAPALAM, Advocate (SR-78641[F] dated 30/07/2019)
+1 CC to Mr.S.MUTHALRAJ, Advocate (SR-79138[F] dated 01/08/2019)

ORDER DATED : 30/07/2019

=====

DECREE

=====

S.A. (MD) No.24 of 2019

Dismissing the Appeal preferred against the judgment and decree dated 25.02.2016 in A.S. No.38 of 2013 on the file of the II Additional District and Sessions Court, Tuticorin against the judgment and decree dated 18.06.2012 in O.S.No.74 of 2007 on the file of the Sub Court, Tuticorin.

MK (27.08.2019) 3P 7C