



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Thursday, the Twenty Sixth day of September Two Thousand and Nineteen

PRESENT

The Hon'ble Ms.Justice P.T.ASHA

SA(MD) . No.371 of 2018

1 M.THANGARAJ

2 S.M.MUTHUMARI PATHAR

3 K.NATARAJA PATHAR

...Appellants/Appellants No.1,3 & 5/Plaintiffs

Vs

D.S.PONNUSAMY ASARI (DIED)

1 S.RAJARETHINAM

...Respondents No.1 and 2/ Respondents No.1 and 2/Defendants

2 R.R.P.NAGARAJ

R.PITCHAI (DIED)

...Respondents No.3 and 4/ Respondents No.3 and 4/Plaintiffs
No.2 & 4

Prayer :-

Second Appeal is filed under section 100 of Civil Procedure Code against the Judgment and Decree dated 19.03.2018 made in A.S.No.136 of 2014 on the file of the Subordinate Court, Madurai confirming the Judgment and Decree dated 08.09.2014 made in O.S.No.1356 of 2005 on the file of the Additional District Munsif Court, Madurai Town.

Decree:

Second Appeal is coming on for hearing on this day and upon perusing the grounds of Appeal, the order of the Lower Court and the material papers in this Appeal and upon hearing the arguments of Mr.F.X.Eugene, Advocate for the Appellants, Mr.M.R.Murugesan, Advocate for the 1st Respondent and of Mr.S.I.Muthiah, Advocate for the 2nd Respondent, this Court while dismissing the Appeal and confirming the order passed by the Court below, doth order and decree as follows:

1 That, the Judgment and Decree dated 19.03.2018 made in A.S.No.136 of 2014 on the file of the Principal Subordinate Court, Madurai confirming the Judgment and Decree dated 08.09.2014 made in O.S.No.1356 of 2005 on the file of the Additional District Munsif Court, Madurai Town.



Court, Madurai Town be and hereby are confirmed and the Second Appeal is dismissed; and

2 That there be no costs, in this Second Appeal.

Schedule of Property

WEB COPY

Arulmigu Sree Kamatchi Ekambareswarar Temple, South Masi Street, Madurai-1.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1 The Principal Subordinate Judge, Madurai
- 2 The Additional District Munsif, Madurai Town

Copy to

The Section Officer,

VR Section, Madurai Bench of Madras High Court, Madurai.(2 copies)

+1 CC to Mr.BABU RAJENDRAN, Advocate SR-89901

+1 CC to Mr.F.X. EUGENE, Advocate SR-90428

ORDER DATED : 26/09/2019

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DECREE

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SA(MD) . No.371 of 2018

Nature of Decree : Dismissing the Second Appeal against the Judgment and Decree dated 19.03.2018 made in A.S.No.136 of 2014 on the file of the Principal Subordinate Court, Madurai confirming the Judgment and Decree dated 08.09.2014 made in O.S.No.1356 of 2005 on the file of the Additional District Munsif Court, Madurai Town etc. as stated within.

ns (CO)

TR(19.11.2019) 2P 7C