



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

Thursday, the Nineteenth day of September Two Thousand and Nineteen
PRESENT

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

SA(MD). No.106 of 2016

WEB COPY

1. Senthil Kumar

2. Malliga

... Appellants

Vs

- 1 IYYALUSAMY (DIED)
- 2 THULASILAKSHMI
- 3 A.ALAGIRISAMY
- 4 A.SATHURAPPAN
- 5 S.KAMALA MARIAMMAL
- 6 A. SANTHA
- 7 V.VENKATESWARI

(R-2 TO R-7 ARE BROUGHT ON RECORD AS LRS OF THE DECEASED 1ST
RESPONDENT VIDE COURT ORDER DT.25.7.16 MADE IN CMP(MD)6164/16 IN
SA(MD)106/2016)

... Respondents

Prayer:- Second Appeal filed under Section 100 of C.P.C., against
the judgment and decree of the Subordinate Court, Sankarankovil
dated 25.09.2014 made in Appeal Suit No.3 of 2014, preferred against
the judgment and decree of the Principal District Munsif Court,
Sankarankovil made in Original Suit No. 117 of 2012 dated
03.09.2013

DECREE:- This Second Appeal coming upon for hearing on this day and
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.D.NALLATHAMBI, Advocate for the Appellants and of
MR.PTS.NARENDRAVASAN, Advocate for the respondents, this Court doth
order and decree as follows:-

(1) That the Judgment and Decree of both the Courts below be
and hereby are confirmed and this second appeal is dismissed.

(2) That the appellants herein/defendants be and hereby are
directed to vacate the plaint schedule property and hand over the
same to the respondents within a period of six months as per their
affidavit of undertaking dated 30.09.2019 in pursuant to the earlier
order of this Court dated 19.09.2019, and



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

Sd/-

Assistant Registrar (CS-II)

WEB COPY

// True Copy //

Sub Assistant Registrar(CS)

Encl.: Xerox Copy of Affidavit filed on 30.09.2019
TO

1. The Subordinate Judge, Sankarankovil
2. The Principal District Munsif, Sankarankovil

Copy to:

The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to Mr.PT.S.NARENDRAVASAN, Advocate (SR-87757 dated
19/09/2019)

ORDER DATED : 19/09/2019

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DECREE

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SA(MD) . No.106 of 2016

Nature of Decree:- Dismissing the Second Appeal preferred against the judgment and decree of the Subordinate Court, Sankarankovil dated 25.09.2014 made in Appeal Suit No.3 of 2014, preferred against the judgment and decree of the court of the Principal District Munsif Court, Sankarankovil made in Original Suit No. 117 of 2012 dated 03.09.2013 etc., as stated within.

MK (17.12.2019) 2P 6C