



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(Civil Appellate Jurisdiction)
Monday, the Twentieth day of January Two Thousand Twenty
PRESENT

The Hon`ble Mr.Justice N.SATHISH KUMAR

SA(MD). No.37 of 2012

WEB COPY

1. CHAND BI, W/O.SYED HUSSAINUDDEEN
2. R.SYED AMEEUDDIN AHAMED,
S/O.LATE SYED RAFIUDDIN PASHA
BOTH AT NO.12, VAIKKAL METTU STREET,
PALAKKARAI, TIRUCHIRAPALLI-1.
3. R.SYED THAMISUDDIN AHAMED,
S/O.LATE SYED RAFIUDDIN PASHA,
NO.16/A, PAPPARA STREET,
AGRAHARAM, VARAGANERI, TIRUCHIRAPALLI-8.
4. R.SYED SIRAJUDDIN AHAMED
S/O.LATE SYED RAFIUDDIN PASHA
5. R.SYED ZIAUDDIN AHAMED
S/O.LATE SYED RAFIUDDIN PASHA
6. R.PAHEEMUNISA BEGAM
D/O.LATE SYED RAFIUDDIN PASHA,
R4 TO R6 AT NO.12, VAIKKAL METTU STREET,
PALAKKARAI, TIRUCHIRAPALLI-1.
7. R.NAYEEMUNISA BEGAM
W/O.S.WAHITH,
NO.73, N.M.STREET,
PALAKKARAI, TIRUCHIRAPALLI-8.
8. R.SHAHANAZUNNISA BEGAM
W/O.A.JAHANGIR,
PUDU STREET, KHAJAPETTAI,
TIRUCHIRAPALLI. ... APPELLANTS/APPELLANTS/6TH DEFENDANT

Vs

- 1 S.SYED GHOUSE, S/O.SYED ALI,
NO.21, JAILANI STREET II LANE,
SUBRAMANIAPURAM, TIRUCHIRAPALLI-20.
- 2 S.G.RAKHEEBUNISSA @ AABIDHA, W/O.JAWAHIR,
NO.4/17, GANDHI STREET, KATTUR,
TIRUCHIRAPALLI-19.



3 S.G.SYED SHANUAWAZ, W/O.SYED GAFFAR,
SARIK STEELS, NEAR INDIAN BANK,
DHARMAPURI MAIN ROAD, OMALUR-636455.

4 S.G.MUJIBUNISA, W/O.SHABBIR AHAMED,
NO.28, JAILANIA 1ST STREET,
SUBRAMANIAPURAM, TIRUCHIRAPALLI-20.

... Respondents/Respondents/Plaintiff/Defendants 2,4 and 5

Prayer:- Second Appeal filed under Section 100 of Code of Civil Procedure against the judgment and decree dated 30.08.2011 made in A.S.No.269 of 2005 on the file of the Principal Subordinate Judge, Tiruchirappalli, confirming the decree and judgment dated 23.08.2005 made in O.S.No.1485 of 1998, on the file of the Second Additional District Munsif, Tiruchirappalli.

DECREE:- This Second Appeal coming up for hearing on this date, upon perusing the grounds of Appeal, the judgments 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.THAGARAJAN, Advocate for the Appellants and of Mr.R.SUNDAR, Advocate for the 1st respondent, and the respondent 2 to 4 having not appeared either in person or by an advocate, this Court while confirming the Judgment and Decree of the courts below, doth order and decree as follows:-

(1) That the Judgment and Decree dated 30.08.2011 made in A.S.No.269 of 2005 on the file of the Principal Subordinate Judge, Tiruchirappalli, confirming the decree and judgment dated 23.08.2005 made in O.S.No.1485 of 1998, on the file of the Second Additional District Munsif, Tiruchirappalli be and hereby are confirmed and this Second Appeal is dismissed.

(2) That there be no order as to costs in this Second Appeal.

Schedule of Property

Tiruchirappalli Municipal Town in Palakkarai Vaikkal Mettu Street, the building bearing Municipal Door No.7-A, New Survey No.T.S.85/1 and 2 Block No.2, Ward No.1

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



To

1.The Principal Subordinate Judge,
Tiruchirappalli.

2.The II Additional District Munsif,
Tiruchirappalli.

Copy to:

The Section Officer,
V.R. Section, (2 copies)
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.R.SUNDAR, Advocate (SR-2001[F] dated 20/01/2020)
+1 CC to Mr.P.THIYAGARAJAN, Advocate (SR-2361[F] dated 22/01/2020)

ORDER DATED : 20/01/2020

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DECREE

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SA(MD). No.37 of 2012

Nature of Decree:- Dismissing the
Second Appeal preferred against the
judgment and decree of the Principal
Subordinate Judge, Tiruchirappalli in
AS.No.269/2005 dated 30/08/2011 etc.,
as stated within.

MK (13.02.2020) 3P 7C