



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

Wednesday, the Twenty Second day of January Two Thousand and Twenty

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PRESENT:

The Hon`ble Mr.Justice N.SATHISH KUMAR

SA(MD)No.921 of 2005

- 1.Easwari
- 2.Arumugam
- 3.Kittu
- 4.Guru
- 5.Ganapathy
- 6.Jeya
- 7.Loga
- 8.Aruna

... Appellants/Appellants/Defendants 4 to 11

Vs

- 1.RAHAMATH BEEVI ...1st Respondent/1st Respondent/Plaintiff.
- 2.THE STATE OF TAMILNADU
THROUGH THE DISTRICT COLLECTOR,
KOKIRAKULAM,TIRUNELVELI.
- 3.TIRUNELVELI MUNICIPAL CORPORATION,
THROUGH ITS COMMISSIONER,,
TIRUNELVELI MUNICIPAL CORPORATION,
TIRUNELVELI. ...Respondents 2&3/Respondents 2&3/
Defendants 2&3.

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree of the Principal Subordinate Judge, Tirunelveli, dated 19/11/2004 made in Appeal Suit No.104 of 2003, confirming the judgment and decree of the II Additional District Munsif, Tirunelveli, made in Original Suit No.867 of 1996, dated 09/09/2003.

This Second Appeal is coming upon for hearing on this date, upon perusing the grounds of Appeal, the judgment 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.M.P.SENTHIL, Advocate for the Appellants and of MR.N.GA.NATRAJ, Advocate for the first respondent,MR.K.MAHENDRAN, Advocate for the third respondent and the second respondent has not appeared either in person or by an Advocate, 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 the Second Appeal is dismissed; and
- (2) That, there be no costs in this Second Appeal.

Schedule of Property

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In Tirunelveli Corporation, Palayamkottai Zone Pitchuvana Street, A Plan marked channel running from west to east in T.S.No.1291 and north of the Plaintiff's house situated in T.S.No.1509/2 and abutting the Chettiarkudi Lane.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

- 1.The Principal Subordinate Judge, Tirunelveli.
- 2.The II Additional District Munsif, Tirunelveli.

Copy to: The Section Officer, V.R. Section, (2 Copies)
Madurai Bench of Madras High Court, Madurai.

- +1 CC to M/s.K.MAHENDRAN, Advocate (SR-2483 dated 22/01/2020)
- +1 CC to M/s.N.GA.NATRAJ, Advocate (SR-2526 dated 23/01/2020)
- +1 CC to M/s.M.P.SENTHIL, Advocate (SR-2538 dated 23/01/2020)

ORDER DATED : 22/01/2020

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DECREE

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SA(MD)No.921 of 2005

Dismissing Second Appeal preferred against the judgment and decree of the Principal Subordinate Judge, Tirunelveli, dated 19/11/2004 in Appeal Suit No.104 of 2003, confirming the judgment and decree of the II Additional District Munsif, Tirunelveli, in Original Suit No.867 of 1996, dated 09/09/2003 etc., as stated within.

JMN(18.02.2020) 2P : 8C

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