



IN THE HIGH COURT OF JUDICATURE AT MADRAS

THURSDAY THE ELEVENTH DAY OF MARCH
TWO THOUSAND AND TWENTY ONE

WEB COPY

PRESENT:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

S.A.No.730 of 2008

1.P.Krishnamoorthy
2.G.Chinnapaiyan

...Appellants/Defendents

Vs.

Dhanabakkiyam Marimuthu
rep. by her Legal Power of Attorney Agent
at D.No.3, Bharathiyar Street,
Subramania Nagar,
Suramangalam Post,
Salem-5

...Respondent/Plaintiff

Prayer :-

This Second Appeal is filed to expunge the remarks regarding Ex.B1 in the judgment dated 06.06.2006 in AS.No.100 of 2005 on the file of the I Additional District Court, Salem, so far as it relates to the findings that Ex.B1 power of attorney deed is a forged document and to expunge the direction to initiate prosecution against the first appellant herein.

Decree :-

This second Appeal Coming on for hearing on Friday, the Nineteenth day of February, 2021, and Upon pursuing the Grounds of Appeal, the Judgment and Decrees of the Lower Appellate Court and Court of First instance and the material papers in the suit and upon hearing the arguments of Mr. T.R.Rajagopalan, Senior Counsel for Mr.G.Vetrivel Rajan, Advocate for the Appellants and of Mr.T.Muruga Manickam, Senior Counsel for M/s.Zeenath Begum, Advocate For the Respondent, and this court having stood over for consideration till this day, doth order and decree as follows:-

- 1)That the Judgment and decree dated 06.06.2006 in AS. No. 100 of 2005 on the file of the 1st Additional District Court, Salem be and hereby is set aside;
- 2)That the judgment and decree in OS No.469/1996 dated 09.12.2004 stands confirmed and the second appeal stands allowed;
- 3)That there be no order as to costs in this Second Appeal.

Sd/-

Assistant Registrar(CS I)

//True Copy//



To

1. The I Additional District Judge, Salem
2. The Principal Subordinate Judge, Salem.

Copy to

The Section Officer,
VR Section, High Court, Madras.

+lcc to M/s.Zeenath Begum, Advocate SR.No. 15368

DATED: 11/03/2021

DECREE

S.A.No.730 of 2008

Which Allowing this second appeal preferred against the judgment and Decree of the 1st Additional District Court, Salem made in Appeal Suit No. 100 of 2005 dated 06/06/2006 etc., as stated within.

PA (CO)

B.VC (22.07.2021)