



IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEDNESDAY THE FOURTEENTH DAY OF JULY
TWO THOUSAND AND TWENTY ONE

WEB COPY

PRESENT

THE HONOURABLE Ms. JUSTICE P.T. ASHA

S.A.No.869 of 2008

1.Palanisamy
2.Sampath Kumar
3.Prakash
4.Easwari

...Appellants/Appellants/Defendants

Vs.

1.Manicka Boyan
2.Bangaru Boyan
3.Kannammal
4.Sarasammal
5.Rajammal
6.K. Selvam
7.Papathiammal
8.Murugan
9.Manju @ Manjunathan
10.Kanagarajendran
11.Sulochana Manickam
12.Thangamani Thangavel
13.Chinthamani

...Respondents/Respondents/
Plaintiffs 1 and 2 and 4 to 14

PRAYER: Second Appeal is filed under Section 100 of the Code of Civil Procedure against the Judgment and Decree dated 04.01.2008 made in A.S.No.24 of 2007 on the file of the learned Principal Subordinate Judge, Gobichettipalayam confirming the Judgment and Decree dated 20.01.2007 made in O.S.No.278 of 1998 on the file of the learned District Munsif, Gobichettipalayam.

Decree : This Second Appeal coming on for hearing on this 14th July 2021 and 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.R.T. Doraisamy, Advocate for the Appellants and Ms.Vidya Shree for M/s.P.T. Ramadevi, Advocate for the 13th Respondent, Respondent 7 died, none appeared for the 1st, 5th and 12th Respondents, this Court while allowing the Second Appeal, doth judgment and decree as follows:



i) that the judgment and decree in O.S.No.278 of 1998 on the file of the learned District Munsif, Gobichettipalayam as confirmed by the learned Principal Subordinate Judge, Gobichettipalayam in A.S.No.24 of 2007 are be and hereby set aside;

ii) that there shall be no order as to cost in this Second Appeal.

Schedule of Property

Gobi Registration District, Gobi Sub Registration District, Gobi Taluk, Modachur Village, within Municipal limits, Gobi Town T.S.No.64/E Ward C Block 26, D.No.17 admeasuring 0.0.1.13 hectres and the same is situate within the following boundaries;

North of East West road and the Property of the defendants,
West of North South lane
East of the property of Maniakarar and others,
And South of the Ramapandaram's House and
lane with doors, Windows, Walls, sheds, electrical fittings,
Compound Walls on the Fourt side etc, in this the subject matter
of the suit is a stony wall 1 ½ breadth is shown a s B C D Wall
in the Plaint plan.

Sd/-

Assistant Registrar(CS-II)

//True copy//

Sub Assistant Registrar

To

1.The Principal Subordinate Judge,
Gobichettipalayam.

2.The District Munsif,
Gobichettipalayam.

Copy To

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

+1cc to Mr.R.T. Doraisamy, Advocate SR.No.33376

+1cc to M/s.P.T. Ramadevi, Advocate SR.No.33186



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DATED : 14/07/2021

DECREE :

S.A.No.869 of 2008

Allowing this Second Appeal preferred against the judgment and decree dated 04.01.2008 made in A.S.No.24 of 2007 on the file of the learned Principal Subordinate Judge, Gobichettipalayam confirming the Judgment and Decree dated 20.01.2007 made in O.S.No.278 of 1998 on the file of the learned District Munsif, Gobichettipalayam, as stated within-No Costs.

RP (CO)
GMY (21/10/2021)