

IN THE HIGH COURT OF JUDICATURE AT MADRAS

FRIDAY, THE FIFTH DAY OF MARCH
TWO THOUSAND AND TWENTY ONE

PRESENT:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

C.M.A.Nos. 1095 of 2020

Thularam Prasad (died)
T.Manohar Prasad

.. Appellant/Defendants 1 & 2

Vs

1. N.Surendran

2. N.Rajasekaran

3. The Tahsildar,
Thirupattur.

4. The Village Administrative Officer,
Paachal Village,
Thirupattur Taluk.

5. The Sub-Registrar,
Thirupattur.

.. Respondents/Defendants 3 to 5

Prayer : Appeal against the decree of the Sub Court, Thirupathur, dated 19.11.2019 in A.S.No. 64 of 2015 in remanding the case to the trial Court in O.S.No.241 of 2009 on the file of Principal District Munsif, Thirupattur.

Decree : This Civil Miscellaneous Appeal the judgment and decree 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.Mubarak Basha, Advocate for the appellant and of Mr.K.Mohan, Advocate for respondents 1 to 2, and of Mr.Y.T.Aravind Gosh, Additional Government Pleader(CS) for the Respondent 3 & 4, and Mr.P.P.Purushothaman, Government Advocate for the 5th Respondent it is ordered that the decree of the lower appellate court be and hereby is set aside and the appeal remanded, and that the sub court, Thirupattur. do restore the appeal to its original number in the register and proceed to dispose of the case in the light of the observations and

directions contained in the judgment herein and that there be no costs in this Civil Miscellaneous Appeal.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

ssm

To

1. The Sub Judge,
Thirupathur.
2. The Principal District Munsif,
Thirupattur.
3. The Village Administrative Officer,
Paachal Village,
Thirupattur Taluk.
4. The Sub-Registrar,
Thirupattur.
5. The Tahsildar,
Thirupattur.

+2ccs to Mr.R.Mubarak Basha, Advocate, S.R.No.14055, 14056
+1cc to the Special Government Pleader(CS), S.R.No.14282
+1cc to the Government Pleader, S.R.No.14432

DATED : 05/03/2021

DECREE :

C.M.A.Nos. 1095 of 2020

While Allowing the Civil Miscellaneous Appeal preferred against the judgment and decree of the court of the Sub Court, Thirupathur, dated 19.11.2019 made in A.S.No. 64 of 2015 in remanding the case to the trial Court in O.S.No.241 of 2009 on the file of Principal District Munsif, Thirupattur. etc., as stated within.

NMI (CO)
HS (08/09/2021)