

IN THE HIGH COURT OF JUDICATURE AT MADRAS

TUESDAY THE NINTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY ONE

PRESENT:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

S.A.Nos. 300 of 2012

Estate of M.A.Browne (Deceased)

by Administrator J.Prabhu

S/o. Anrade, Advocate Law Chambers,
Ootacamund, Nilgiris.

...Appellant/Plaintiff

Vs.

K.F.Jacob

...Respondent /Defendant

PRAYER: The Second Appeal is filed under Section 100 of the Code of Civil Procedure, against the Judgement and Decree dated 19.12.2011 passed in A.S.No.36 of 2011 on the file of the learned Subordinate Judge of Nilgiris at Ootacamund filed against the Judgement and Decree dated 27.01.2011 passed in O.S.No.211 of 2005 on the file of the learned District Munsif of Ootacamund.

DECREE: This Appeal coming on for hearing on this day upon perusing the grounds of the Appeal and the judgment and decree of the Lower Appellate Court and the Court of First instance courts below and the material papers available in this case and upon hearing the arguments of Mr.S.Parthasarathy, Senior Counsel for Mr.S.K.Rakhunathan, Advocate for the Appellant herein and of Mr.Babu Muthu Meeran, Advocate for the Respondent and this Court while Allowing this Second Appeal doth order and decree as follows:

1) that the judgement and decree passed in A.S.No.36 of 2001 dated 19.12.2011 on the file of learned Subordinate Court of Nilgiris at Ootacamund is be and hereby set aside and the judgement and decree passed in O.S.No.211 of 2005 dated 27.01.2011 on the file of the District Munsif Court, Ootacamund be and hereby is confirmed.

2) that there be no costs in this Second Appeal.

Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

Kv

To

1. The Subordinate Judge of Nilgiris at Uthagamandalam.
2. The District Munsif of Ootacamund.

Copy To:

The Section Officer,
VR Section,
High Court,
Madras - 104.

+1cc to Mr.S.K.Rakhunathan, Advocate (7813)

Dated:- 09/02/2021

DECREE:

S.A.No.300 of 2012

Allowing this Second Appeal preferred against the Judgement and Decree dated 19.12.2011 passed in A.S.No.36 of 2011 on the file of the learned Subordinate Judge of Nilgiris at Ootacamund filed against the Judgement and Decree dated 27.01.2011 passed in O.S.No.211 of 2005 on the file of the learned District Munsif of Ootacamund etc as stated within.

RSI (CO)
RGA(23/09/2021)