



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

MONDAY, THE TWENTY SIXTH DAY OF APRIL

TWO THOUSAND AND TWENTY ONE

PRESENT:

THE HONOURABLE Ms. JUSTICE P.T. ASHA

S.A.No.615 of 2015
and M.P.No.4 of 2015
C.M.P.No.6890 of 2016

1.Chitra Bhakthavathsalam

2.B. Prabhu ..Plaintiffs/Respondents 1 & 2/Appellants

3.P.Venkatesh Raja

4.B.Sudarsana Raghavan ...3rd party/6th & 7th Respondent/
Appellants

Vs.

1.C.Subramanian

2.K.Vivegananda Subramania Nathan

3.Radhakrishnan ...Respondents 1 to 3/
Appellants 1 to 3
Respondents 1 to 3

4.Kanagaraj

5.V.Jayamani ...Respondents/Appellants 4 & 5
Respondents 4 and 5

(As per orders of this Court dated 26.04.2021 R4 and R5
were excluded from the array of parties by PTAJ)

6.T.Umapathy

7.S.P.Dayanithi

8.The Sub Registrar,
Anna Nagar Sub Registrar Office,
Anna Nagar,
Chennai - 600 040.

...Respondents 6 to 8/
Respondents 3 to 5/
Respondents 6 to 8



Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure against the Judgment and Decree dated 17.02.2015 made in A.S.No.283/2012 on the file of the Learned XVII Additional Judge, City Civil Court, Chennai reversing the Judgment and Decree dated 04.07.2012 made in O.S.No.8554/2008 on the file of the XII Assistant Judge, City Civil Court, Chennai.

DECREE: This Second Appeal coming on for hearing on this day, upon perusing the grounds of appeal, the order of the Lower Court and material papers in this case and upon hearing the arguments of Mr.G.Masilamani, Senior Counsel for Mr.K.Surendranath, Counsel for Appellants and Mr.R.P.Manikandan, Counsel for Respondent No.1 and Mr.A.R. Anand for Respondent No.3 this Court while the allowing the appeal, doth order and decree as follows:

1. That the Judgment and Decree in A.S.No.283/2012 on the file of the Learned XVII Additional Judge, City Civil Court, Chennai dated 17.02.2015 be and hereby is set aside and the Judgment and Decree in O.S.No.8554/2008 on the file of the XII Assistant Judge, City Civil Court, Chennai dated 04.07.2012 be and hereby is confirmed;

2. That there be no orders as to costs in the above Second Appeal.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

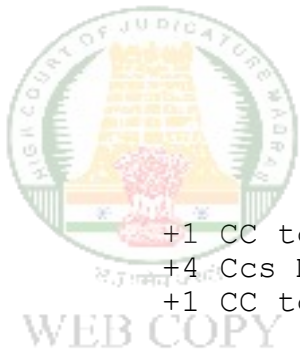
mps

To

1.The XVII Additional Judge,
City Civil Court,
Chennai.

2.The XII Assistant Judge,
City Civil Court,
Chennai.

Copy to
The Section Officer
VR Section
High Court, Madras 104.



+1 CC to The Government Pleader sr 22955
+4 Ccs Mr.K.Surendranath, Advocate sr 25525, 25854
+1 CC to Mr.J.D. Srikanth Varma, Advocate sr 25500

Dated: 26.04.2021

DECREE:

S.A.No.615 of 2015

Allowing the Civil Miscellaneous Appeal the Judgment and Decree dated 17.02.2015 made in A.S.No.283/2012 on the file of the Learned XVII Additional Judge, City Civil Court, Chennai reversing the Judgment and Decree dated 04.07.2012 made in O.S.No.8554/2008 on the file of the XII Assistant Judge, City Civil Court, Chennai as stated within

SSV(CO)
SP(27/07/2021)