



IN THE HIGH COURT OF JUDICATURE AT MADRAS

THURSDAY THE TWENTY EIGHTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY ONE

WEB COPY

PRESENT:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

S.A.No.306 of 2016

1. Munia Pillai
2. Selvaraj
3. Kandan
4. Amulu
5. B.Sangeetha, Minor
6. B.Gunasekar, Minor

(5 and 6 are minors, represented by their mother and
natural Guardian, the 4th appellant)

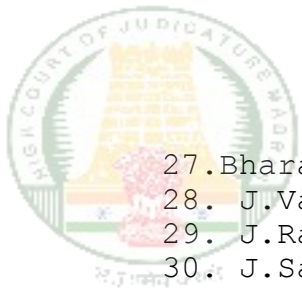
... Appellants/ Appellants/

Defendants 19 to 22 & LR's of D22
Vs.

1. R.Anjalakshi

.... 1st Respondent/
Respondent No.1/ Plaintiff

2. Mutha
3. Kullamma
4. Jegannathan (Died)
5. Raja
6. Shantha (Deceased)
7. Gnanakoti
8. Komala
9. Indirani
10. Natarajan
11. Meenakshi
12. Devaki
13. Parvathy @ Chinnaponnu
- Irusa Pillai (Died)
- Perundevi (Died)
14. Logu
15. Arputha
- Elumalai (Died)
16. Narayanan
17. Lakshmi
18. Mohan
19. Chandrika
20. Sumathi
21. Shanthi
22. Sudha
23. Selvi
24. Andal
25. Hemalatha
26. Narendra Kumar



27. Bharathi
28. J. Vasanthi
29. J. Ramya
30. J. Sathish Kumar

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(R25 to 27 brought on record as legal heirs of the deceased R6 vide order dated 23.11.2018 made in C.M.P.No.9578 of 2018 in S.A.No.306 of 2016 (PTAJ)

(R28 to 30 brought on record as legal heirs of the deceased R4 viz., Jagannathan vide Court order dated 04.10.2021 made in C.M.P.No.15696 of 2021 in S.A.No.306 of 2021 (MGRJ)

... Respondents

PRAYER: The Second Appeal filed under Section 100 of the Civil Procedure Code against the judgment and decree dated 08.04.2015 passed in A.S.No.165 of 2011 on the file of the XV Additional City Civil Court at Chennai confirming the judgment and preliminary decree passed in O.S.No.5456 of 2005 dated 20.12.2010 on the file of the VI Assistant Judge, City Civil Court, Chennai.

Decree: This Second Appeal coming on for hearing on this day and upon perusing the Grounds of Appeal, the judgment and decree of the Lower Appellate Court of the first instance and the material papers in the case and upon hearing the arguments of Mr.S.Sadasharam, Advocate for the Appellants and of M/s.D.Nandagopal, Advocate for the First Respondent and of Mr.Ravichandar, Advocate for Respondent Nos.2, 3, 5, 7, 8 & 10 to 12 and of M/s.Ravichandran Sundaresan, Advocate for Respondent Nos.25 to 30 and Ninth Respondent steps not having been taken and the Respondent Nos. 13 to 18 & 20 to 24 - Given up and the Respondent No.19 Not appearing either in person or by an Advocate and this Court, doth order and decree as follows:

i) that the judgment and decree passed in A.S.No.165 of 2011 dated 08.04.2015 on the file of the XV Additional City Civil Court at Chennai confirming the judgment and preliminary decree passed in O.S.No.5456 of 2005 dated 20.12.2010 on the file of the VI Assistant Judge, City Civil Court, Chennai be and hereby is confirmed and this Second Appeal is dismissed;

ii) That there be no costs in this Second Appeal.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar



To

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

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

Copy to:

The Section Officer,
VR Section,
High Court, Madras

+1 cc to Mr. S. Sadasharam, Advocate Sr. NO. 56144

+1 cc to Mr. D. Nandagopal, Advocate Sr. NO. 56070

+1 cc to Mr. Ravichandran Sundaresan, Advocate Sr. NO. 55949

DATED: 28.10.2021

DECREE

S.A. No. 306 of 2016 and

Dismissing the Second Appeal preferred against the judgment and decree passed in A.S. No. 165 of 2011 dated 08.04.2015 on the file of the XV Additional City Civil Court at Chennai confirming the judgment and preliminary decree passed in O.S. No. 5456 of 2005 dated 20.12.2010 on the file of the VI Assistant Judge, City Civil Court, Chennai be and hereby is confirmed and this Second Appeal is dismissed etc as stated within.

NR (CO)

A. SK (10.02.2022)