

IN THE HIGH COURT OF JUDICATURE AT MADRAS

TUESDAY, THE NINETH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY ONE

PRESENT:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

C.M.S.A.NO.5 OF 2017

Moorthi

..Appellant

Vs.

Brindha

..Respondent

Prayer : Civil Miscellaneous Second Appeal filed under Section 100 of C.P.C., against the judgment and decree passed in C.M.A.No.47 of 2013 dated 16.04.2015 passed by the III Additional Sessions Judge, Gobichettipalayam, Erode District confirming the Judgment and Decree passed in H.M.O.P.Nos.73 of 2010 dated 26.04.2013 passed by the Subordinate Judge, Sathyamangalam.

Decree: This Civil Miscellaneous Second Appeal coming on for hearing on the day and upon perusing the grounds of Appeal, the order of the Lower appellate court and court of first instance Court and Material papers in this case and upon hearing the arguments of Mr.S.Parthasarathy Counsel for the Appellant and Mr.P.R.Balasubramaniam, Counsel for the respondent, this Court, while dismissing the Appeal, doth order and decree as follows:

(i) That the Judgment and decree of the courts below be and hereby are confirmed and the appeal is dismissed.

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

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

ssb

To

1. The III Additional Sessions Judge,
Gobichettipalayam, Erode District
2. The Subordinate Judge, Sathyamangalam

Copy To

The Section Officer,
V.R.Section, .
High Court Madras-104.(2 Copies)

+1cc to M/s.S.Parthasarathy, Advocate, S.R.No.7223

Dated: 09/02/2021

DECREE

C.M.S.A.NO.5 OF 2017

 Dismissing the Civil
Miscellaneous Second Appeal
with cost preferred against
the Judgment and decree passed
in C.M.A.No.47 of 2013 dated
16.04.2015 passed by the III
Additional Sessions Judge,
Gobichettipalayam, Erode
District confirming the
Judgment and Decree passed in
H.M.O.P.No.73 of 2010 dated
26.04.2013 passed by the
Subordinate Judge,
Sathyamangalam.

SSV(CO)
SB(13/09/2021)