IN THE HIGH COURT OF JUDICATURE AT MADRAS

FRIDAY THE TWENTY NINTH DAY OF JANUARY
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

C.M.A.No.189 of 2017

Punitha Aarokiya Annai Peralayam,
Rep.by its Rector,
Veilankanni,
Keelvelur Taluk,
Nagapattinam.

..Appellant/Respondent/Plaiantiff

Vs.

Mrs.Stella ..Respondent/Appellant/Defendant

Prayer : Civil Miscellaneous Appeal filed under Section Order 43 Rule 1(u) of C.P.C., against the judgment and decree of the Court of the Subordinate Court, Nagapattainam dated 17.10.2016 made in A.S.No.30 of 2015, setting aside judgment and decree of the Court of the District Munsiff, Nagapattinam, dated 09.04.2014 made in O.S.No.538 of 2006.

Decree: This Civil Miscellaneous Appeal coming on for hearing on this day upon perusing the grounds of Appeal, the Judgments and Decrees of the lower Appeallate Court and the Court of first instance and the material papers in the case and upon hearing the arguments of Mr.V.Ravichandran, Advocate for the Appellant and Mr.S.Balasubramaniyan, Advocate for the Respondent, this court while allowing / the Civil Miscellaneous Appeal ordered that the Decree of the Lower Appellate Court is be and hereby, set aside and the Appeal is remanded, and that the Sub court, Nagapattinam, 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 herin and dispose of the appeal within a period of Eight months from the date of receipt of a copy of this Judgment and that there be no costs in this Civil Miscellaneous Appeal.

Sd/-
Assistant Registrar (CS-VIII)

// True Copy //

Sub Assistant Registrar

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To

1.The Sub Judge,
  Subordinate Court Nagapattinam.

2.The District Munsif Court,
  Nagapaattinam.

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

+1CC to Mr.S.Balasubramaniyan, Advocate, SR.No.4981
+1CC to Mr.M.S.Palaniswamy, Advocate, SR.No. 5277

Dated: 29/01/2017

DECREE

C.M.A.No.189 of 2017

Allowing and remitting back the Civil Miscellaneous Appeal preferred against the Judgment and decree of the Court of the sub Court, Nagapattinam dated 17/10/2016 made in A.S.No.30/2015, setting aside the judgment and decree of the court of the District Munsiff court, Nagapattinam dated 09/04/2014 made in O.S.No.538/2006 etc. as stated therein.

VG II (CO)
B.VC (01/09/2021)