



MADURAI BENCH OF MADRAS HIGH COURT

Friday, the Twenty Second day of October, Two thousand and twenty one

THE HON`BLE MR.JUSTICE G.R.SWAMINATHAN

SA(MD) . 1043/ 2007

1.Veerappan (Died)

S/o.Karuppanna Mudaliar,
Pillathurai, Thathiangarpet Post,
Musiri Taluk, Trichy District.

2.Thangavelu

S/o.Veerappan,
Pillathurai, Thathiangarpet Post,
Musiri Taluk, Trichy District.

3.Shanmugam

S/o.Veerappan,
Pillathurai, Thathiangarpet Post,
Musiri Taluk, Trichy District.

4.Selvaraj

S/o.Veerappan,
Pillathurai, Thathiangarpet Post,
Musiri Taluk, Trichy District.

5.V. Gangaiammal

W/o. Late. Veerappan,

(5th Appellant is Suo Motu Impleaded as LR of the Deceased 1st
Appellant vide Court Order Dt.22.10.21)

... Plaintiffs / Respondents / Appellants

- Vs. -

Natarajan Mudaliar

S/o.Madurai Veera Mudaliar,

Pillathurai, Thathiangarpet Post,

Musiri Taluk, Trichy District. ... Defendant/Appellant/Respondent



Prayer in SA(MD). 1043/ 2007 :

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree dated 07.03.1995 passed in A.S. No.73 of 1993 on the file of the I Additional District Court, Tiruchirapalli reversing the Judgment and Decree dated 28.12.1992 passed in O.S. No.297 of 1983 on the file of the District Munsif, Musiri.

DECREE:-

This Second Appeal coming on for hearing on this date, upon perusing the grounds of Appeal, the judgments and decrees of the Lower Appellate Court and the Court of First Instance and the material papers in the Suit and upon hearing the arguments of Mr.P.Thiagarajan, Advocate for the Appellants and of Mr.Singan, Advocate for the respondent, this Court doth order and decree as follows:-

(1) That even while confirming the dismissal of the suit by the first appellate Court (I Additional District Judge, Tiruchirapalli) any observation or finding on the suit Will shall stand vacated,

(2) That the suit in O.S.No.297 of 1983 on the file of the District Munsif, Musiri shall stand closed,

(3) That this Second Appeal is disposed of accordingly,

(4) That there be no costs in this Second Appeal.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

- 1)The I Additional District Judge, Tiruchirapalli
- 2)The District Munsif, Musiri.

Copy to:

The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to M/s.P.Thiagarajan, Advocate (SR-32496 dated 25/10/2021)



WEB COPY

SA(MD)No.1043 of 2007

ORDER DATED : 22/10/2021

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DECREE

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SA(MD) . No.1043 of 2007

Nature of Decree :-Disposing of the Second Appeal preferred the judgment and decree dated 07.03.1995 passed in A.S. No.73 of 1993 on the file of the I Additional District Judge, Tiruchirapalli reversing the Judgment and Decree dated 28.12.1992 passed in O.S. No.297 of 1983 on the file of the District Munsif, Musiri, etc., as stated within.

KMK (CO)
GC (06.01.2022) 3P 6C