



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)**

Friday, the Eighteenth day of June Two Thousand and Twenty One

PRESENT

The Hon'ble Mr. Justice G.R. SWAMINATHAN

SA(MD) . No.398 of 2007

Chellappan Pillai

... Plaintiff/Appellant/Appellant

Vs

1. Murugan Asari @ Ganesh Asari
2. Karuthudayan Dhas
3. Samuel
4. Radhakrishnan
5. State of Tamil Nadu rep. by District Collector,
Kanyakumari District, Nagercoil.

... Defendants / Respondents /
Respondents

Prayer:-

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree dated 10.03.2006 made in A.S.No.83 of 2002 on the file of the Subordinate Judge(Camp Court), Kuzhithurai, confirming judgment and decree dated 11.07.2000 made in O.S.No.666 of 1993 on the file of the I Additional District Munsif, Kuzhithurai.

DECREE:-

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 MS.J.Anandhavalli, Advocate for the Appellant and of Mr.V.Meenakshisundaram, Advocate for MR.C.Nallathambi, Advocate for the 1st Respondent and of Mr.R.Ragavendran, Advocate for the 2nd and 5th respondents, this Court doth order and decree as follows:-

1. That the judgment and decree dated 10.03.2006 made in A.S.No.83 of 2002 on the file of the Subordinate Judge(Camp Court), Kuzhithurai, confirming judgment and decree dated 11.07.2000 made in O.S.No.666 of 1993 on the file of the I Additional District Munsif, Kuzhithurai be and hereby are set aside and this Second Appeal is allowed on the terms of the judgement and;



2. That there be no costs in this Second Appeal.

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// True Copy //

Sd/-

Assistant Registrar (CS II)

/ /2021

Sub Assistant Registrar(CS)

To

1. The Subordinate Judge(Camp Court), Kuzhithurai
2. The I Additional District Munsif, Kuzhithurai

Copy to:

The Section Officer, V.R. Section,
Madurai Bench of Madras High Court, Madurai (+2 Copies)

- +1CC to Ms.J.ANANDHAVALLI, Advocate (SR-19683, Dated. 21/06/2021)
- +1CC to Special Government Pleader (SR-19791, Dated. 22/06/2021)
- +1CC to Mr.D.NALLATHAMBI, Advocate (SR-19877, Dated. 22/06/2021)

ORDER DATED : 18/06/2021

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DECREE

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SA(MD). No.398 of 2007

Nature of Decree:- Allowing the Second Appeal against the judgment and decree dated 10.03.2006 made in A.S.No.83 of 2002 on the file of the Subordinate Judge(Camp Court), Kuzhithurai, confirming judgment and decree dated 11.07.2000 made in O.S.No.666 of 1993 on the file of the I Additional District Munsif, Kuzhithurai etc., as stated within.

RC(04.08.2021) 2P-8C

<https://hcservices.ecourts.gov.in/hcservices/>