



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Friday, the First day of October Two Thousand Twenty One

PRESENT

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

SA(MD) . No.1201 of 2008

ANANTHAVALLI,
W/O.SONAIMUTHU KRISHNARAJAPURAM COLONY,
MANAMADURAI TOWN,
SIVAGANGAI DISTRICT.

...Appellant / Respondent /
Plaintiff

Vs

S.ALAGARSAMY
S/O.SANGU (DIED), 106, KRISHNARAJAPURAM,
COLONY, MANAMADURAI TOWN,
SIVAGANGAI DISTRICT

...Respondent / Appellant/
Defendant

Prayer:-

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree dated 24.03.2008 passed in A.S. No.12 of 2008 on the file of the District Judge, Sivagangai by setting aside the Judgment and Decree dated 23.11.2006 passed in O.S. No.136 of 2005 on the file of the Principal District Munsif, Manamadurai.
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.M.PONNIAH, Advocate for the Appellant and of Mr.S.NATARAJAN, Advocate for the respondent, this Court doth order and decree as follows:-

(1) That the judgment and decree dated 24.03.2008 passed in A.S. No.12 of 2008 on the file of the District Judge, Sivagangai be and hereby is set aside and the Judgment and Decree dated 23.11.2006 passed in O.S. No.136 of 2005 on the file of the Principal District Munsif, Manamadurai is restored and this Second Appeal is allowed,
(2) That there be no costs in this Second Appeal.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



To

- 1) The District Judge, Sivagangai
- 2) The Principal District Munsif, Manamadurai.

Copy to:

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

+1 CC to M/s.M.PONNIAH, Advocate (SR-31074[F] dated 04/10/2021)

+1 CC to M/s.S.NATARAJAN, Advocate (SR-31076[F] dated 04/10/2021)

ORDER DATED : 01/10/2021

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D E C R E E

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SA(MD). No.1201 of 2008

Nature of Decree:- Allowing the Second Appeal preferred against the order dated 24.03.2008 made in A.S. No.12 of 2008 on the file of the District Judge, Sivagangai by setting aside the judgment and decree dated 23.11.2006 made in O.S. No. 136 of 2005 on the file of the Principal District Munsif, Manamadurai and etc., as stated within.

MGJ(27.01.2022) 2P 7C