



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(CIVIL APPELLATE JURISDICTION)**

**MONDAY, THE FOURTH DAY OF OCTOBER TWO THOUSAND TWENTY ONE
PRESENT**

**THE HON`BLE MR.JUSTICE G.R.SWAMINATHAN
SA(MD) . NO.613 OF 2007**

JEBASTIAN
S/O.GNANASIGAMANI NADAR
MADA NADAR KUDIYURUPPU,
PERUNGUDI VILLAGE,
RADHAPURAM TALUK,
TIRUNELVELI DISTRICT

... Plaintiff/Respondent/Appellant

Vs

THOMAS GEORGE
S/O.MATHEW M.THOMAS
MUTHOOR HOUSE, PUNNAN ROAD,
TIRUVANDRAM, KERALA STATE

... Defendant/Appellant/Respondent

Prayer :-

The Second Appeal is filed under section 100 of the civil Procedure code to allow the SA and set aside the Judgment and Decree passed in AS.186/2005 dated 18/01/2006 on the file of the 2nd Additional Sub Court, Tirunelveli and also reversing the Decree and Judgment passed in O.S.616/96 dated 01/10/2004 on the file of the Additional District Munsif Court, Valliyoor and thus render justice.

DECREE: This Second Appeal coming on for hearing on this date, upon perusing the grounds of Appeal, the Judgments and Decree 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.V.Meenakshi sundaram, Advocate for Appellants and Mr.K.Sreekumaran Nair Advocate for Respondents and of this court doth order and decree as follows:-

(1) That the Judgment and Decree passed in A.S.No.186 of 2005 dated 18/01/2006 on the file of the 2nd Additional Sub-court, Tirunelveli, reversing the decree and Judgment of the Additional District Munsif Court, Valliyoor, passed in O.S.No.616 of 1996 dated 01/10/2004 be and hereby are confirmed and this appeal is dismissed.

(2) That there be no costs in this appeal.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



TO

1.The 2nd Additional Subordinate Judge, Tirunelveli.

2.The Additional District Munsif, Valliyoor.

COPY TO: -

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

+1cc to MR.D.NALLATHAMBI, Advocate, SR.No.31156 DATED:05.10.2021

+3cc to MR.K.SREE KUMARAN NAIR, Advocate, SR.No.31151 & 31438

ORDER DATED : 04/10/2021

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DECREE
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SA(MD)No.613 of 2007

While Dismissed the SA(MD)613 of 2007 preferred against Judgment and Decree passed in A.S.No.186 of 2005 dt.18/01/2006 on the file of 2nd Additional Sub Court, Tirunelveli, reversing the Judgment and Decree made in O.S.No.616/1996 dt.01/10/2004 on the file of Additional District Munsif court, Valliyoor stated therein.

SK(CO)
GC(03.02.2022) 2P 9C