



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Thursday, the Twenty Ninth day of July Two Thousand Twenty One

PRESENT

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

SA(MD) . No.593 of 2009

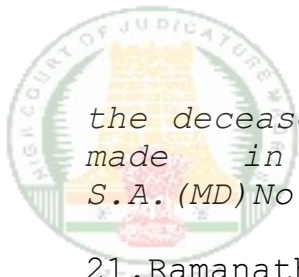
1.Rengaiiah Konar (died) ... Appellant/Respondent/Defendant
2.Krishna Konar
3.S.Rengu
4.Ramanujam ... Appellants
*(A3 and A4 are brought on record as LRs of
the deceased first appellant vide order
dated 14.06.2017 made in C.M.P.(MD)No.5064
of 2013 in S.A.(MD)No.593 of 2009 by NSSJ)*

Vs .

1.Lakshmi ... 1st Respondent/Appellant/Plaintiff
2.Rajendran
3.Ganesan
4.Annadurai
5.Rengammal,
D/o.Silampayee ... Respondents 2 to 5/Respondents 1 to 4/
Respondents 1 to 4
6.Kaliyammal (Died)
7.Srinivasan
8.Angammal
9.Patchaiyammal
10.Ramanathan
11.Govindhammal
12.Notchiyammal
13.Chellaiah Udaiyar
14.Chellakkannu Udaiyar
15.Rajamani ... Respondents 6 to 15/Respondents 7 to 16/
Respondents 7 to 16
16.K.Arumugam
17.C.Ramu
18.Rengammal, W/o. Rengaiiah
19.Chellam
20.Rani

(R16 to R20 are brought on record as LRs of

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



*the deceased R6 vide order dated 23.01.2015
made in M.P. (MD)No.3 of 2013 in
S.A. (MD)No.593 of 2009 by CSKJ)*

21.Ramanathan

... Respondents

*(R21 is brought on record as LR of the
deceased first appellant vide order dated
14.06.2017 made in C.M.P. (MD)No.5064 of
2013 in S.A. (MD)No.593 of 2009 by NSSJ)*

Prayer : Second Appeal filed under Section 100 of Civil Procedure Code, against the judgment and decree in A.S.No.23 of 2004, dated 07.02.2008 on the file of the Additional District Judge (Fast Track Court), Pudukkottai, reversing the judgment and decree in O.S.No.209 of 1990, dated 26.07.2002 on the file of the Sub Court, Pudukkottai.

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.K.Balasundaram, Advocate for the Appellants and of Mr.N.Balakrishnan, Advocate for the first respondent, and the respondents 3,4,16 to 20 not appeared either in persons or through their counsel, respondents 2,5,7 & 9 to 15 are given up and of respondents 6 & 8 are died and this Court doth order and decree as follows:-

(1) That the Judgment and Decree of the Additional District Judge (Fast Track Court) Pudukkottai dated 07.02.2008 made in Appeal Suit No.23 of 2004, reversing the judgment and decree of the Sub Court, Pudukkottai made in Original Suit No. 209 of 1990 dated 26.07.2002 be and hereby is confirmed and this Second Appeal is dismissed.

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

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



TO

- 1.The Additional District Judge (Fast Track Court),
Pudukkottai
- 2.The Sub Court, Pudukkottai

WEB COPY

Copy to:

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

ORDER DATED : 29/07/2021

=====

DECREE

=====

SA(MD). No.593 of 2009

Nature of Decree:-
Dismissing the Second
Appeal preferred against
the Additional District
Judge (Fast Track Court)
Pudukkottai dated
07.02.2008 made in Appeal
Suit No.23 of 2004,
reversing the judgment and
decree of the Sub Court,
Pudukkottai made in
Original Suit No. 209 of
1990 dated 26.07.2002 and
as stated within.

KM(CO)

TR(17.12.2021) 3P 5C