



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Tuesday, the Tenth day of August Two Thousand Twenty One

WEB COPY

PRESENT

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

SA(MD) . No.1239 of 2011

VAALAMMAL @ BALAMMAL

... Appellant/Appellant/Plaintiff

Vs

1.CHELLAMMAL
2.MALLAMMAL
3.JEYAKUMAR
4.MURUGAN
5.RAJESEKAR
6.PACKIALAKSHMI
7.SANDHANAMAARI

... Respondents/Respondents/Defendents

Prayer:-

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree of the Additional District Court cum Fast Track Court No.II,Thoothukudi, dated 15.10.2009. made in Appeal Suit No.14 of 2008, preferred against the judgment and decree of the Sub Court ,Thoothukudi made in Original Suit No. 37 of 2004 dated 30.11.2007.

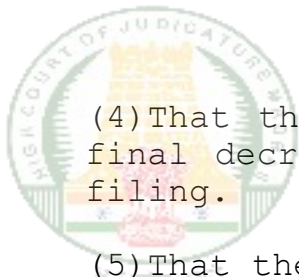
DECREE:-

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 R.VIJAYAKUMAR, Advocate for the Appeallant and of C.DHANASEELAN, Advocate for the respondents 2 TO 7, this Court doth order and decree as follows:-

(1) That the Judgment and Decree of the Courts below , be and hereby are modified and this Second Appeal is partly allowed.

(2)That the Plaintiff is granted preliminary decree allotting her 1/7th share in the suit item.No.1,

(3) That the Appellant herein shall file a final decree application within eight weeks from the date of copy of the decree,



(4) That the trial court be and hereby is directed to conclude the final decree proceedings within a period of nine months after such filing.

(5) 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 No. II,
Thoothukudi

2. The Sub Judge,
Thoothukudi

Copy to:

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

+1 CC to M/s. R. VIJAYAKUMAR, Advocate (SR-26191 dated 12/08/2021)

+1 CC to M/s. C. DHANASEELAN, Advocate (SR-25967 dated 11/08/2021)

ORDER DATED : 10/08/2021

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DECREE
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SA(MD). No.1239 of 2011

Nature of Decree:- Dismissing the Second Appeal preferred against the judgment and decree of the Additional District Judge, Fast Track Court No. II, Thoothukudi, dated.15.10.2009 made in Appeal Suit No.14 of 2008 preferred against the judgment and decree of the Sub Judge, Thoothukudi, made in Original Suit No.37 of 2004 dated.30.11.2007.

GC (12.10.2021) 2P 7C

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