



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

Wednesday, the First day of September Two Thousand Twenty One
PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN
SA(MD). No.226 of 2012

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PONNAIAH

... Appellant/2nd Appellant/2nd Plaintiff

Vs

1.CHIDAMBARATHAMMAL

2.PADAGALINGA MUDALIAR ... 1st & 2nd Respondents/2nd & 3rd Respondents
2nd & 3rd Defendants

3.VISALATCHI

4.PARVATHI

5.ARUMUGAM

6.MINOR.RAMALAKSHMI

7.MINOR.GANESAN ... 3 to 7 Respondents/4 to 8 Respondents
3rd parties /LR's of 1st Defendant

(MINORS, R6 & R7 were represented through their Father & Natural
guardian 5th respondent herein).

8.S.NARAYANAN

... 8th Respondent/1st Appellant/1st Plaintiff

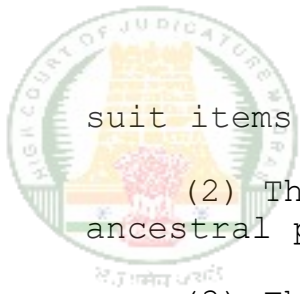
Prayer:-

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree dated 26/08/2011 made in AS.182 of 2005, on the file of the Sub-Court, Ambasamudram, confirming the judgment and decree dated 02/09/2005 made in O.S.NO.34 OF 2004 on the file of the Principal District Munsif Court, Ambasamudaram.

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.V.Meenakshisundaram, for Mr.D.Nallathambi, Advocate for the Appellant and of Mr.S.Meenakshisundaram Senior Counsel on behalf of Mr.R.Manimaran, Advocate for the First respondent, and Respondents two to Eight are not appeared either in person or by an Advocate, this Court while disposing the Second appeal, doth order and decree as follows:-

(1) That the appellant viz,Ponnaiah and the Respondents 1 to 4 and 8 viz., Chidambarathammal, Padagalinga Mudaliar, Visalatchi, Parvathi and Narayanan and the legal heirs of the deceased Lakshmi viz Respondents 5 to 7, be and hereby are allotted 1/7th share in the



suit items 1,2,4,5 & 6 each;

(2) That it is sustained that the Suit item No.3 is an ancestral property;

(3) That the decision of the courts below sustaining validity of Ex.B4 be and hereby is confirmed; and

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

*** Schedule of Property**
*** Enclosed herewith separate sheet**

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

1.The Subordinate Judge,
Ambasamudaram.

2.The Principal District Munsif,
Ambasamudaram

Copy to:

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

+1 CC to M/s.D.NALLATHAMBI, Advocate (SR-28010 dated 02/09/2021)

+1 CC to M/s.R.MANIMARAN, Advocate (SR-27983 dated 02/09/2021)



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SA(MD). No.226 of 2012

ORDER DATED : 01/09/2021

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DECREE

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SA(MD) . No.226 of 2012

Nature of Decree:- Disposing
Second Appeal preferred
against judgment and decree
passed in A.S.No.182/2005
dated 26/08/2011 on the
file of the Sub - Court
Ambasamudaram and confirming
the judgment and decree
passed in O.S.No.34/2004,
dated 02/09/2005 on the
file of the Principal
District Munsif Court,
Ambasamudaram
etc., as stated within.

KM(CO)

RS/PM (10.11.2021) 3P 7C