



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Monday, the Nineteenth day of July Two Thousand and Twenty One

PRESENT

WEB COPY

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

SA(MD) . No.228 of 2013

1. SONAI

2. JEYA

3. MARI

4. NAGAMMAL

5. SHANTHI

6. PAPATHI AMMAL ... Appellants/Respondents/Plaintiffs

Vs

1 PANDIAN

2 MANIKANDAN

3 KARUPPAIH @ MUTHALALI

4 VELU (Died)

5 CHINNAMMAL

6 VARADHARAJAN

7 MANOHARAN

... Respondents 1to 7/ Appellants/
Defendants

8 RAKKU
W/O. LATE. VELU.

9 MURUGESAN
S/O. LATE. VELU.

10 PALANIAMMAL
D/O. LATE.VELU.

11 SELVARAJU
S/O. LATE VELU.



12 MANIKANDAN

S/O. LATE VELU

(Respondents 8 to 12 ARE BROUGHT ON RECORD AS LRS OF THE Deceased 4th respondent vide Court order dated 16.10.2020.)

... Respondent

Prayer:-

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree dated 02.01.2013 made in A.S.No. 145 of 2010 on the file of the Subordinate Court, Sivagangai by reversing the judgment and decree dated 30.10.2010 passed in O.S.No 36 of 2007 on the file of the Additional District Munsif cum Judicial Magistrate, 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. A.SIVAJI, Advocate for the Appellant and of MR. C.RAJAGOPAL, Advocate for the respondents 1 to 3, 5 and 8 to 12, this Court doth order and decree as follows:-

(1) That the Judgment and Decree dated 02.01.2013 made in A.S.No. 145 of 2010 on the file of the Subordinate Court, Sivagangai be and hereby is confirmed and this appeal is dismissed.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1. The Subordinate Court, Sivagangai.
2. The Additional District Munsif cum Judicial Magistrate, Manamadurai.

Copy to:

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

+1 CC to M/s.A.SIVAJI, Advocate (SR-23038 dated 19/07/2021)



+3 CC to M/s.C.RAJAGOPAL, Advocate (SR-23538 dated 22/07/2021)
ORDER DATED : 19/07/2021

WEB COPY

=====

DECREE

=====

SA(MD) . No.228 of 2013

Nature of Decree:- Dismissing the Second Appeal preferred against the judgment and decree dated 02.01.2013 made in A.S.No. 145 of 2010 on the file of the Subordinate Court, Sivagangai by reversing the judgment and decree dated 30.10.2010 passed in O.S.No 36 of 2007 on the file of the Additional District Munsif cum Judicial Magistrate, Manamadurai and etc., as stated within.

KB(04.10.2021) 3P 9C