



MADURAI BENCH OF MADRAS HIGH COURT

THURSDAY, THE SECOND DAY OF DECEMBER, TWO THOUSAND AND TWENTY ONE

WEB COPY

THE HON`BLE MR.JUSTICE R.VIJAYKUMAR

SA(MD) . 110 OF 2005

1.M.L.Nirmala

2.V.Madhusudanan Nair ... Appellants / Respondents /
Defendants

- Vs. -

M.Venugopal ... Respondent / Appellant / Plaintiff

Prayer in SA(MD) . 1043/ 2007 :

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree dated 12.10.2004 passed in A.S. No.119 of 2001 on the file of the I Additional Subordinate Judge, Nagercoil (Camp. Padmanabhapuram) in reversing the Judgment and Decree dated 27.09.2001 passed in O.S. No.314 of 1997 on the file of the District Munsif, Padmanabhapuram.

DECREE:-

This Second Appeal coming on for hearing on Friday, the Nineteenth day of November Two thousand and twenty one, 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.M.Ashok Kumar, Advocate for the Appellants and of Mr.V.M.Balamohan Thambi, Advocate for the respondent, and having stood over for consideration till this date, while allowing this Second Appeal in part, this Court doth order and decree as follows:-

(1) That the Judgment and Decree dated 27.09.2001 passed in O.S. No.314 of 1997 on the file of the District Munsif, Padmanabhapuram is modified that the plaintiff shall be entitled to a decree as prayed for to an extent of 2 cents and 480 links,

(2) That on other aspects, the Judgment and Decree dated 12.10.2004 passed in A.S. No.119 of 2001 on the file of the I Additional Subordinate Judge, Nagercoil (Camp. Padmanabhapuram) be and is hereby confirmed,

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



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

Sd/-

Assistant Registrar (CS-II)

WEB COPY

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1)The First Additional Subordinate Judge, Padmanabhapuram

2)The District Munsif, Padmanabhapuram

Copy to:

The Section Officer,
V.R. Section,

Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to M/s.M.Ashok Kumar, Advocate (SR-37059 dated 02/12/2021)

+1 CC to M/s.V.M.Balamohan Thambi, Advocate (SR-37187 dated
03/12/2021)

ORDER DATED : 02/11/2021

=====

DECREE

=====

SA(MD). No.110 of 2005

Nature of Decree :-

Partly Allowing of the Second Appeal preferred the judgment and decree dated 12.10.2004 passed in A.S. No.119 of 2001 on the file of the I Additional Subordinate Judge, Nagercoil (Camp. Padmanabhapuram reversing the Judgment and Decree dated 27.09.2001 passed in O.S. No.314 of 1997 on the file of the District Munsif, Padmanabhapuram, etc., as stated within.

kmk (CO)

GC(24.01.2022) 2P 7C