



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Tuesday, the Nineth day of February Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice R.SUBRAMANIAN

SA(MD) . No.689 of 2020

Kanagaraj
S/o.Subbiah, D.No.113/40,
Thathanoothu Indra Colony,
Thalayuthu, Tirunelveli Taluk,
Tirunelveli District. ... Appellant/Respondent/Plaintiff

Vs

1.S.Paldurai
S/o.Subbiah, D.No.3/51,
Mariappan Kovil Street, Kokkirakulam,
Tirunelveli-627 009.,
Tirunelveli District.

2.Samugeshwaran,
S/o.Senthil Vinayagam,
D.No.5/2900, Viswanatham Village,
Sivakasi Taluk,
Virudhunagar District. ... Respondents/Appellants/Defendants

Prayer:- Second Appeal filed under Section 100 of Code of Civil Procedure, against the Judgment and Decree dated 12.08.2020 made in Appeal Suit No.140 of 2019 on the file of Additional Sub Court, Tirunelveli, reversing the Judgment and Decree dated 01.08.2019 made in Original Suit No.318 of 2018, on the file of the II Additional District Munsif Court, Tirunelveli.

DECREE:- This Second Appeal having come up for hearing on this day, 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.T. Selvan, Advocate for the Appellant and of Mr. G.Prabhu Rajadurai, Advocate for the Respondents, this Court doth order and decree as follows;-

(1) that the Judgment and Decree passed in Appeal Suit No.140 of 2019 on the file of Additional Sub Court, Tirunelveli dated 12.08.2020 be and hereby are confirmed and Second Appeal is dismissed, and



(2) that there be and hereby no costs in this Second Appeal.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

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/ /2021

Sub Assistant Registrar(CS)

TO

1. The Additional Subordinate Judge,
Tirunelveli.
2. The II Additional District Munsif ,
Tirunelveli
3. The Section Officer, (2 copies)
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.G.PRABHU RAJADURAI, Advocate (SR-4163 dated :
10.02.2021)

+1 CC to Mr. C.MAYIL VAHANA RAJENDRAN, Advocate(SR-4082
dated 09.02.2021

ORDER DATED 09.02.2021

DECREE

S.A(MD) No.689 of 2020

Dismissing the Second Appeal preferred against the judgment and decree dated 12.08.2020 passed in A.S. No.140 of 2019 on the file of the Additional Sub Court, Tirunelveli reversing the judgment and decree dated 01.08.2019 passed in O.S. No.318 of 2018 on the file of the II Additional District Munisf Court, Tirunelveli etc., as stated within.

VB (16.03.2021) 2P 7C