



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

Wednesday, the Twenty Third day of June Two Thousand Twenty One

PRESENT

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

AS(MD). No.88 of 2018

T. RAJARAM,
S/O. THALAIMUTHU AMBALAM, 5/579, OTBHAVEEDU @ ,
PUDUKKOTTAI, ANDARKOTTARAM POST, MADURAI ,
NORTH TALUK ,
MADURAI DIST . .. Appellant / Plaintiff

Vs

GOPAL @ GOPI (DIED)

1.GANGADHARAN,S/O. RAJU, DOOR NO.171,
SAMMATTIPURAM MAIN ROAD, MADURAI TOWN.,

SANGILIAMMAL(DIED) .

2 JAYA,W/O.AKKINI AMBALAM
D/O.RAJU,DOOR NO.171,SAMMATTIPURAM MAIN ROAD,,
MADURAI TOWN..

3 SUSILA
W/O. KAKKAPPAN, SOORAKKUNDU VILLAGE, MELUR,
TALUK, MADURAI DIST..

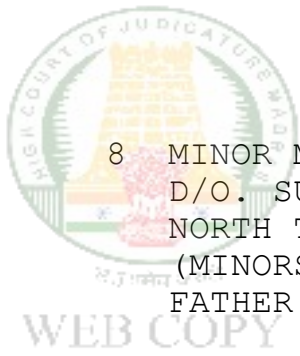
4 LALITHA
W/O. SETHURAMAN, ANUMARPATTI, VANDIYUR,,
MADURAI NORTH TALUK, MADURAI DIST.

PADMA (DIED) .

5 AYYAMMAL
W/O. RAVI, OOTHUKULI VILLAGE,,
THENKARAI, VADIPPATTI TALUK, MADURAI DIST..

6 SUBBIAH
S/O.PANDI AMBALAM,ANUMARPATTI,VANDIYUR,,
MADURAI NORTH TALUK, MADURAI DIST.

7 MINOR ASHOK
S/O. SUBBIAH, ANUMARPATTI, VANDIYUR, MADURAI,
MADURAI NORTH TALUK, MADURAI DIST.



8 MINOR MALAVIKA

D/O. SUBBIAH, ANUMARPATTI, VANDIYUR, MADURAI,
NORTH TALUK, MADURAI DIST.

(MINORS REP THROUGH THEIR,

FATHER AND GUARDIAN 6TH RESPONDENT ... Respondent / Defendants

Prayer:-

Appeal Suit filed under Section 96 of Civil Procedure Code
r/w. Order 41 and 41-A of Civil Procedure Code against the Judgment
and Decree in O.S. No.59 of 2008 dated 18.08.2016 on the file of the
VI Additional District Court, Madurai.

/ 2 /

DECREE:-

This Appeal Suit having come up for final hearing on this
date, the order of the lower court and the material papers to the
Appeal and upon hearing the arguments of Mr.K.K.RAMAKRISHNAN FOR
J.ANANDKUMAR, Advocate for the Appellant and of Mrs.JESSI JEEVA
PRIYA, Advocate for the first to fifth respondents and respondents
states that the direction to refund the advance amount with interest
as decreed by the trial court has been complied with, this Court
doth order and decree as follows:-

(1) That the Judgment and Decree in O.S. No.59 of 2008 dated
18.08.2016 on the file of the VI Additional District Court, Madurai
be and is hereby modified and the Appeal Suit is partly allowed.

(2) That the respondents to return the advance amount of
Rs.5,00,000/- (Rupees Five Lakhs only) to Rajaram with interest at
the rate of 18% per annum with effect from 01.01.2006,

(3) That the respondents be and hereby directed to deposit the
additional amount will have to be paid in view of this decree now
passed by this Court.

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

Sd/-

Assistant Registrar (CS-I)

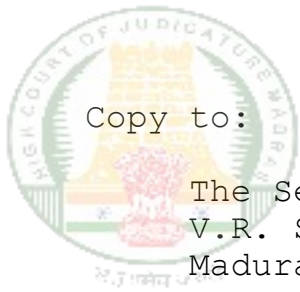
// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

THE VI ADDITIONAL DISTRICT JUDGE, MADURAI



Copy to:

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

WEB COPY

+1 CC to M/s.P.JESSI JEEVA PRIYA, Advocate (SR-19964 dt
23/06/2021)

ORDER DATED : 23/06/2021

=====
DECREE
=====

AS(MD) . No.88 of 2018

Nature of Decree:-

Partly Allowing the
Appeal Suit against the
Judgment and Decree in
O.S. No.59 of 2008 dated
18.08.2016 on the file of
the learned VI Additional
District Court, Madurai
and etc., as stated
therein

RK (04.08.2021) 3P 5C