



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Tuesday, the Twenty Second day of June Two Thousand Twenty One
PRESENT

WEB COPY

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

SA(MD) . No.541 of 2014

1. Balaraj
2. L.Devaraj
3. Mani

.. Appellants/Appellants/
Defendants 1 to 3

vs

State Bank of Travancore,
Marthandam Branch
Rep.by its Manager
Naloor Village,
Vilavancode Taluk
Kanyakumari District

.. Respondent /Respondent
Plaintiff

Prayer:-

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree of the Subordinate Judge, Kuzhithurai, dated 30.01.2013 made in A.S. No.82 of 2011 and modifying the Judgment and Decree passed in O.S. No.197 of 2008, dated 23.02.2011 on the file of the Principal District Munsif, Kuzhithurai

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.G.RAMANATHAN for MR.P.SUBBIAH**, Advocate for the Appellant and of **MR.N.MURUGESAN**, Advocate for the respondent, while allowing this second appeal in part this Court doth order and decree as follows:-

1. that the Judgment and Decree passed by the Principal District Munsif, Kuzhithurai made in O.S. No.197 of 2008, dated 23.02.2011 be and hereby is restored.

2.That the Judgment and Decree passed by the Subordinate Judge, Kuzhithurai, made in A.S. No.82 of 2011 dated 30.01.2013 be and hereby is modified to the extent explained in the judgment herein.



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

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

1. The Subordinate Judge, Kuzhithurai

2. The Principal District Munsif, Kuzhithurai

Copy to:

The Section Officer, (2C)

V.R. Section,

Madurai Bench of Madras High Court, Madurai

ORDER DATED : 22/06/2021

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DECREE

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Nature of Decree:-

Allowing in Part the Second Appeal preferred against the judgment and decree of the judgment and decree of the Subordinate Judge, Kuzhithurai, dated 30.01.2013 made in A.S. No.82 of 2011 and modifying the Judgment and Decree passed in O.S. No.197 of 2008, dated 23.02.2011 on the file of the Principal District Munsif, Kuzhithurai,etc., as stated within.

KB(11.08.2021) 2P 5C