



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

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

PRESENT

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

SA(MD) . No.813 of 2014

DATTIES JOYSON,
S/O.LATE.THANKAYYAN ALAMPARAI NEAR ,
THIRPARAPPU WATER FALLS THIRPARAPPU P.O.,
KALKULAM TK
KANNIYAKUMARI DISTRICT .. Appellant / Appellant / Defendant

Vs

1 PAUL RAJ,
S/O.THANKAYYAN NADAR, SHOBA BHAVAN,,
PANCHIPARUTHIVILAI VEEDU, KUNJAL VILLAI,,
ARUMANAI PO, KALKULAM TK,
KANNIYAKUMARI DISTRICT

2 SELVARAJ,
S/O.THANKAYYAN NADAR, KUCHICHEL, ARUMANAI,
POST, KALKULAM TK,
KANNIYAKUMARI DISTRICT

3 RAJAMONY,
S/O.NOT KNOWN, CHANNEL KARAI, THIRPARPPU,,
ARUMANAI PO, KALKULAM TK
KANNIYAKUMARI DISTRICT ... Respondents / Respondents /
Plaintiff

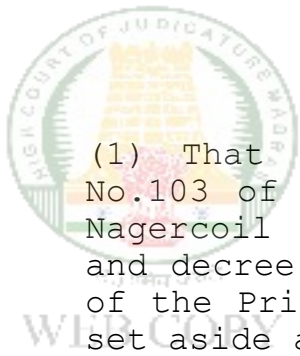
Prayer:-

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree dated 28.03.2013 made in A.S. No.103 of 2012 on the file of the I Additional Subordinate Judge, Nagercoil Camp at Padmanabhapuram, preferred against the judgment and decree dated 08.12.2011 made in O.S. No.252 of 2007 on the file of the Principal District Munsif, Padmanabhapuram.

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.M.DENNIS JOE, Advocate for the Appellant and of Mr.A.SIVAJI, Advocate for the respondent, this Court doth order and decree as follows:-

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



(1) That the Judgment and Decree dated 28.03.2013 made in A.S. No.103 of 2012 on the file of the I Additional Subordinate Judge, Nagercoil Camp at Padmanabhapuram, preferred against the judgment and decree dated 08.12.2011 made in O.S. No.252 of 2007 on the file of the Principal District Munsif, Padmanabhapuram be and hereby are set aside and this appeal is Allowed.

(2) That the Appellant is entitled to the decree of permanent injunction.

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

Schedule of Property

District	- Kanyakumari
Taluk	- Kalkulam
Village	- Thirparappu
Old. Sy. No.	- 698, 699
Re. Sy. No.	- 423/6
Area	- 63 cents
Description of property	- Rubber garden land with shed there in

Boundaries:-

East	- P.W.D Chennal Puramboke
West	- Property of Sivasankara Paniker
North	- Property of Sundaram Pillai and Chennel Puramboke.
South	- Property of Easwara Pillai.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1) The I Additional Subordinate Judge,
Nagercoil Camp at Padmanabhapuram

2) The Principal 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.DENNIS JOE, Advocate (SR-19955 dated 23/06/2021)

+1 CC to M/s.A.SIVAJI, Advocate (SR-20090 dated 24/06/2021)



WEB COPY

SA(MD). No.813 of 2014

ORDER DATED : 22/06/2021

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D E C R E E

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SA(MD) . No.813 of 2014

Nature of Decree:- Allowing the Second Appeal preferred against the judgment and decree dated 28.03.2013 made in A.S. No.103 of 2012 on the file of the I Additional Subordinate Judge, Nagercoil Camp at Padmanabhapuram confirming the Judgment and Decree dated 08.12.2011 made in O.S. No.252 of 2007 on the file of the Principal District Munsif, Padmanabhapuram etc., as stated within.

KMK (CO)
TR (09.07.2021) 3P 7C