



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Wednesday, the Twenty Ninth day of September Two Thousand Twenty One

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PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

SA(MD) . No.547 of 2015

JOHNSON

... Appellants/Respondent/Defendant

Vs

PUDHUMAIPITCHAI

... Respondent/Appellant/Plaintiff

Prayer:-

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree dated 30/06/2014 made in A.S.No.16 of 2014 on the file of II Additional District Judge, Thoothukudi, reversing the Judgement and decree dated 29/02/2012 made in O.S.No.181 of 2008 on the file of the Trainee Distrit Judge Cum Additional Subordinate Judge, Thoothukudi.

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.T.Arivukumar, Advocate for the Appellant and of Mr.T.Antony Arulraj Advocate for the respondent and upon perusing the undertaking affidavit filed by the appellant, doth order and decree as follows:-

(1) That in the pursuance of the undertaking ,the judgment and decree dated 30/06/2014 made in A.S.No.16 of 2014 on the file of II Additional District Judge, Thoothukudi, be and hereby is confirmed and this Second Appeal is dismissed;

(2) That the appellant be and hereby is directed to pay the balance amount of Rs.5,30,000/- (Rupees Five Lakhs and thirty thousands only) to the respondent within a period of six months as per the undertaking given by him before this court.

<https://hccs.ceraints.gov.in/hccs/hccs/> In the event of any further default, the respondent is entitled to recover the amount at the rate of 6 % interest from the date of failure to pay the amount, and



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

Sd/-

Assistant Registrar (CO)

// True Copy //

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Sub Assistant Registrar(CS)

TO

1 The II Additional District Judge,
Thoothukudi.

2.The Trainee District Judge
cum Additional Subordinate Judge,
Thoothukudi.

Copy to:

The Section Officer,
V.R. Section,

Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to M/s.T.ANTONY ARUL RAJ,Advocate (SR-30922 dated
01/10/2021)

ORDER DATED : 29/09/2021

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DECREE

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SA(MD). No.547 of 2015

Dismissing the Second Appeal preferred against the judgment and decree dated 30/06/2014 made in A.S.No.16 of 2014 on the file of II Additional District Judge, Thoothukudi, reversing the Judgement and decree dated 29/02/2012 made in O.S.No.181 of 2008 on the file of the Trainee District Judge Cum Additional Subordinate Judge, Thoothukudi and etc as stated within.