



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Tuesday, the Thirtieth day of November Two Thousand Twenty One

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PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CMSA(MD) . No.29 of 2018

1. JOHN KENNEDY,,

2. N.PREMKUMAR

... Appellants / Appellants /
Petitioners / Defendants

Vs

LEELABAI

... Respondent / Respondent /
Respondent / Respondent

Prayer:-

Appeal filed under Section 100 r/w. Order 43 Rule 1 of Civil Procedure Code, to set aside the order, dated 12.07.2018 made in CMA No.16 of 2017 on the file of the Additional District and Sessions Judge, Fast Track Court, Kanniyakumari District at Nagercoil, confirming the order in I.A. No.132 of 2017 in O.S. No.232 of 2016 on the file of the Subordinate Judge, Padmanabhapuram.

DECREE:-

This Civil Miscellaneous 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.SELVAKUMARAN, Advocate for the Appellant and of Mr.S.C.HEROLD SINGH, Advocate for the respondent, this Court doth order and decree as follows:-

(1) That the Judgment and Decree dated 12.07.2018 made in CMA No.16 of 2017 on the file of the Additional District and Sessions Judge, Fast Track Court, Kanniyakumari District at Nagercoil, confirming the order in I.A. No.132 of 2017 in O.S. No.232 of 2016 dated 22.04.2017 on the file of the Subordinate Judge, Padmanabhapuram is confirmed and Civil Miscellaneous Second Appeal is dismissed.

(2) That the Subordinate Judge, Padmanabhapuram be and is hereby directed to dispose the Suit in O.S. No.232 of 2016 within a period of three months from the date of this judgment.



of six months from the date of receipt of a copy of the order.

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

Sd/-

Assistant Registrar (CS-I)

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/ /2022

Sub Assistant Registrar(CS)

To

1) The Additional District and Sessions Judge, Fast Track Court, Kanniyakumari District at Nagercoil.

2) The Subordinate Judge, Padmanabhapuram.

Copy to:

The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to M/s.T.SELVAKUMARAN, Advocate (SR-36871[F] dated 01/12/2021)

+1 CC to M/s.S.C. HEROLD SINGH, Advocate (SR-36661[F] dated 01/12/2021)

ORDER DATED : 30/11/2021

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DECREE

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CMSA(MD). No.29 of 2018

Nature of Decree:- Dismissing the Civil Miscellaneous Second Appeal preferred against the judgment and decree of the Additional District Judge, Fast Track Court, Kanniyakumari at Nagercoil made in CMA No.16 of 2017 dated 12.07.2018 confirming the judgment and decree of the Subordinate Judge, Padmanabhapuram made in I.A. No.132 of 2017 in O.S. No.232 of 2016 dated 22.04.2017 and etc., as stated within.