

IN THE HIGH COURT OF JUDICATURE AT MADRAS

THURSDAY, THE SIXTH DAY OF JANUARY

TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

CMA No. 1162 of 2021

N.Srinivasa Reddy

... Appellant/1st Respondent/Plaintiff

Vs

1.Raja Reddy S/o Thimma Reddy

Thimma Reddy (died)

2. Chenna Reddy S/o late Thimma Reddy

3. Jayarama Reddy

4. Thimmakka

5. Chennamma

6. Pillamma

7. Gowramma

8. Savithriamma

9. Srinivasa Reddy

10. Narayanamma

11. Rashmi

12. Shilpa

13. C.Srinivasalu

14. S.Manjula

... Respondents/Respondents/Defendants/

14th Defendant not party in the Suit

[The respondents 2 and 4 have remained

Exparte before the Lower Court and hence notice to them
may be dispensed with)

Prayer: Civil Miscellaneous Appeal filed under Section 43 Rule 1(U) of the Code of CPC against the award and Decree dated 11/01/2021 made in A.S.No.7 of 2015 on the file of Additional Sub Court, Hosur, setting aside the Judgement and decree dated 23/12/2014 in OS No.94 of 2004 on the file of the District Munsif Court, Hosur.

DECREE:This Civil Miscellaneous Appeal coming on for hearing as to admission on this day, upon perusing the grounds of Appeal, the award of the Tribunal below and the material papers in this case and upon hearing the arguments of Mr.D.Sivakumaran, Advocate for the Appellant and of Mr.T.Sezhian for M/s.R.Meenal, Advocate for the Respondents this Court doth order and decree as follows;

i)That the Judgment and decree dated 11/01/2021 made in A.S.No.7 of 2015 on the file of Additional Sub Court, Hosur setting aside the Judgment and decree dated 23/12/2014 in O.S.No.94 of 2004 and remanding the matter with a permission to the parties to lead evidence on the file of the District Munsif Court, Hosur be and hereby are confirmed and this Civil Miscellaneous Appeal do stand dismissed;

ii)That the District Munsif Court, Hosur be and hereby shall ensure that the Suits are disposed of within a period of six months from the date of receipt of the order and receipt of the records from the Registry of this Court;

iii)That there be no costs in this Civil Miscellaneous Appeal;

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

vsg

To

1. The Additional Sub Court,
Hosur.
2. The District Munsif Court,
Hosur.
3. The Section Officer,
VR Section,
Madras High Court, Chennai.

+lcc to M/s.R.Meenal, Advocate Sr.1287
+lcc to Mr.D.Shivakumaran, Advocate Sr.1326

Dated:06/01/2022

DECREE

CMA No. 1162 of 2021

Dismissing the Civil Miscellaneous Appeal preferred against the Judgment and Decree dated 11/01/2021 made in A.S.No.7/2015 on the file of the Additional Sub Court, Hosur setting aside the Judgment and decree dated 23/12/2014 in O.S.No.94/2004 on the file of the District Munsif Court, Hosur etc., as stated therein.

spd[co]
srg 16/03/2022