

IN THE HIGH COURT OF JUDICATURE AT MADRAS

THURSDAY, THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY TWO

PRESENT:

THE HONOURABLE JUSTICE MR.N.ANAND VENKATESH

Second Appeal Nos.631 and 738 of 2016

S.A.No.631 of 2016

1.Jagadeesan
2.Alangarammal
3.Chakkaravarthy
4.J.Vijayalakshmi ..Appellants/Respondents 1,4,5 & 6 /
Defendants 1,4,5 & 6

..Vs..

1.Dhanalakshmi
2.Kanmani
3.Poongothai ..1 to 3 Respondents/Appellants/Plaintiffs

4.Chellammal
5.J.Anbazhagan
6.Azhagesan ..4 to 6 Respondents/Respondents 2,3
& 7/Defendants 2,3 & 7

S.A.No.738 of 2016

G.Alagesan ..Appellant/7th Respondent /7th Defendant

..Vs..

1.Dhanalakshmi
2.Kanmani
3.Poongothai ..1 to 3 Respondents/Appellants/Plaintiffs

4.M.Jagadeesan
5.Chellammal
6.J.Anbazhagan
7.Alangarammal
8.Chakravarthi
9.Vijayalakshmi ..4 to 9 Respondents/1 to 6 Respondents /
1 to 6 Defendants

Common Prayer in S.A.No.631 and 738 of 2016: These Appeals are
filed Under Section 100 of Civil Procedure Code against the
Judgment and Decree of the court of Principal District Judge,

Krishnagiri, dated 01.02.2016 made in A.S.No.6 of 2015, in reversing the judgment and decree of the court of the Subordinate Judge, Uthangarai, dated 28.11.2014 made in O.S.No.190 of 2014.

DECREE: These Second Appeals are coming for hearing on Monday, the Fourteenth day of March, two thousand twenty two, 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 case and upon hearing the arguments of Mrs.Chithra Sampath, Senior Counsel appearing for Mr.S.Ganesan, Advocate for the Appellants in S.A.631 of 2016 and for the Seventh to ninth respondents in S.A.No.738 of 2016 and of Mr.V.Nicholas, Advocate for the first to third respondents in both S.A.No.631 and 738 of 2016 and of Mr.B.Gnana Vinothan, Advocate for the fourth and fifth respondents in S.A.No.631 of 2016 and for the fifth and sixth respondents in S.A.No.738 of 2016 and of M/s.V.Srimathi, Advocate for the fourth respondent in S.A.No.738 of 2016 and for the sixth respondent in S.A.No.631 of 2016, none appeared in person or by advocate and this Second Appeal having stood over for consideration till this day, while allowing this Second Appeal this Court doth order and decree as follows:

1. That the Judgment and decree passed in Appeal Suit No.6 of 2015 by the Principal District Judge, Krishnagiri, dated 01.02.2016 be and is hereby set aside.

2. That the Judgment and decree passed in Original Suit No.190 of 2014 by the Subordinate Judge, Uthangarai, dated 28.11.2014 be and is hereby upheld and

3. That there shall be no order as to costs.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

KP

To

1.Principal District Judge,
Krishnagiri.

2.Subordinate Judge,
Uthangarai.

Copy To:

The Section Officer
V.R.Section, High Court,
Madras.

+2cc to Mr.S.Ganesan, Advocate, S.R.No.17916 & 17918
+1cc to Mr.V.Raghavachari, Advocate, S.R.No.17968
+1cc to Mr.I.Abrar Md.Abdullah, Advocate, S.R.No.18090
+2cc to Mr.V.Nicholas, Advocate, S.R.No.18322 & 18323

DATED:17/03/2022

DECREE

S.A.No.630 of 2016

Allowing these Second
Appeal preferred against
the Judgment and Decree of
the court of the Principal
District Judge, Krishnagiri
dated 01.02.2016 made in
A.S.No.6 of 2015, reversing
the judgment and decree of
the court of the
Subordinate Judge,
Uthangarai, dated
28.11.2014 made in
O.S.No.190 of 2014 etc., as
stated therein.

SSD(CO)
SB(06/04/2022)