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IN THE HIGH COURT OF JUDICATURE AT MADRAS

TUESDAY THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

Appeal Suit No.389 of 2014

1. Vijayalakshmi
2. V.Anandakrishnan
3. V.Srinivasan
4. V.Vijaykumar

.. Appellants/Respondents

Vrs.

1. S.Janaki
2. S.Vasudevan
3. S.Sivakumar
4. S.Arunprakash

.. Respondents/Plaintiffs

Prayer: Appeal against the judgment and decree of the Court of the District Judge, Udhagamandalam, Nilgiris dated 21.02.2014 made in O.S.No.2 of 2011.

Decree : This Appeal coming on for hearing on this Monday the Twenty First Day of February, Two Thousand and Twenty Two and upon perusing the grounds of Appeal the judgment and decree of the Lower Appellate Court and the Court of First Instance and material papers in the Suit and upon hearing the arguments of Mr.R.Sivakumar, Counsel for the Appellants and of Mr.S.Vadivel Murugan, Counsel for the Respondents and this case having stood over this consideration till this day and this Court, while allowing this Appeal Suit in part and in modification of the order of the Court below doth order and decree as follows:

1) that the judgment and decree passed by the District Judge, Udhagamandalam, Nilgiris dated 21.02.2014 made in O.S.No.2 of 2011 be and hereby is setting aside in so far as it relates to the award of damages at the rate of Rs.5,000/- (Rupees Five Thousand only) with interest at 12 % per annum from the date of plaint till the date of payment and Rs.250/- (Rupees Two Hundred and Fifty only) per day from the date of plaint till the date of handing over vacant possession;

2) that their title to the suit property be and hereby is declared in favour of the Respondents/Plaintiffs;



3) that the Appellants/Defendants be and hereby are directed to handover the vacant possession of the suit property to the Respondents/Plaintiffs within a period of three months from the date of receipt of a copy of this Judgment;

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4) that there be no costs in this Appeal Suit.

SCHEDULE

Registration District	: Nilgiris
Registration Sub District	: Ootacamund Jt NO.1
Town and Municipality	: Ootacamund
Taluk	: Ootacamund
Locaility	: New Agraharam

R.S.No.	Extent
1946	00.01-6/16 acres
1947	00.00-2/16 acres
	
	00.01.8/16 acres or 650 sq.ft
	with the residential building thereon
	bearing Door No.46A of Old Ward No.8,
	New Ward No.11, Municipal Asst.No.20169.

The above property is now re-surveyed as R.S.No.E/17-149 measuring 0.00.66 hectares (full extent).

Boundaries of the Property :

North	: Pathway
South	: New Agraharam Road
East	: House Belonging to T.K.Srirangan
West	: House belonging to A.R.Aruna Chettiar & Sons.

Plaintiffs

We declare that the description of the property given above it true to our knowledge and belief and sign the same at Ootacamund this 21st day of January 2011.

Plaintiffs

Sd/-
Assistant Registrar (CS-VIII)

//True copy//

Sub Assistant Registrar



To:

1. The District Judge,
Udhagamandalam, Nilgiris.

2. The Section Officer,
VR Section, Madras High Court,
Chennai.

+1cc to Mr.R.Sivakumar, Advocate SR.No.29094

+1cc to Mr.S.Vadivel Murugan, Advocate SR.No.28253

DATED : 26/04/2022

DECREE :

Appeal Suit No.389 of 2014

This Appeal Suit is allowed in part and in modification preferred against the judgment and decree passed by the District Judge, Udhagamandalam, Nilgiris dated 21.02.2014 made in O.S.No.2 of 2011 etc., as stated within.

KJ(CO)
GMY(30/05/2022)