



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

MONDAY, THE TENTH DAY OF JANUARY

TWO THOUSAND AND TWENTY TWO

PRESENT:

THE HON'BLE MR.JUSTICE M.GOVINDARAJ

SA NO.338 OF 2017

A.Govindan (Died)

2.G.Prasanth

3.G.Maragatham

4.G.Kathiravan

Appellant Nos.2 to 4 b/r as LRs'

of the deceased sole appellant viz.,

A.Govindan vide Court order dated

10.11.2021 made in CMP No.16232/2021

in SA No.338/2017)

... Appellants/Defendants

VS.

K.S.Jayanthakumar

... Respondent/Plainfiff

PRAYER:Second Appeal filed under Section 100 of the Civil Procedure Code against the judgment and decree of the Additional District Judge, Dharmapuri, dated 22.11.2016 made in A.S.No.6 of 2016 preferred against the judgment and decree of the Court of the Subordinate Judge, Dharmapuri, dated 27.11.2015 and made in O.S.No.175 of 2010.

Decree:This Second Appeal coming on for hearing on this day and upon perusing the Grounds of Appeal, the judgment and decree 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.I.Abrar Md. Abdullah, Advocate for the Appellant herein/Defendants and of Mr.V.Raghavachari, Advocate for the respondent herein/Plaintiff and this Court, doth order and decree as follows:

i)that the judgment and decree of the Additional District Judge, Dharmapuri, dated 22.11.2016 made in A.S.No.6 of 2016 be and hereby is set aside and this Second Appeal is Allowed.

ii)that the judgment and decree of the Subordinate Judge, Dharmapuri, dated 27.11.2015 and made in O.S.No.175 of 2010 do stand restored.



iii)that there be no costs in this Second Appeal.

Sd/-

Assistant Registrar(CCC)

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Sub Assistant Registrar

To

1.The Additional District Judge
Dharmapuri.

2.The Subordinate Judge
Dharmapuri.

Copy to:
The Section Officer,
VR Section,
High Court,Madras.

+1 cc to Mr.V.Ragavachari, Advocate Sr.NO. 2342

DATED:10.01.2022

DECREE

SA NO.338 OF 2017

Allowing the Appeal preferred against the judgment and decree of the Additional District Judge, Dharmapuri, dated 22.11.2016 made in A.S.No.6 of 2016 preferred against the judgment and decree of the Court of the Subordinate Judge, Dharmapuri, dated 27.11.2015 and made in O.S.No.175 of 2010 etc as stated within.

sv (CO)
A.SK(06/06/2022)