



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

TUESDAY THE THIS EIGHTH DAY OF MARCH
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE Mr. JUSTICE S.S.SUNDAR

S.A. No.81 of 2017

1. Govindan

2. Dhanam .. Appellants/Appellants/Defendants

Vs.

1. Kalarani ..1st Respondent/Respondent/Plaintiff

2. Kiruthika

3. Gopi Krishnan .. 2 & 3 Respondents

(Respondents 2 & 3 are impleaded as party vide Court order dated 16.06.2021 made in C.M.P. No.8570 of 2021 in S.A. No.81 of 2017)

Prayer : Appeal against the Decree of the Principal District Judge, Salem, dated 10.10.2014 made in A.S. No.56 of 2011 preferred against the judgment and decree of the Court of the I Additional Subordinate Judge, Salem, dated 30.09.2010 made in O.S. No.102 of 2007.

Decree : This Second Appeal coming on for hearing on this day 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. R.Rajaramani, Advocate for the Appellants and of Mr. S.Kousik for K.Sathish Kumar, Advocate for the 2nd & 3rd Respondents and of 1st Respondent not appearing in person or by Advocate and this Court while allowing this Second Appeal and disposed with directions doth order and decree as follows:

i) that the decree and judgment of the Principal District Judge, Salem, dated 10.10.2014 made in A.S. No.56 of 2011 be and hereby is set aside and the Suit remitted back to the Sub court, Salem and that the subordinate Judge, Salem do restore the Suit to its original number in the register and proceed to dispose of the case in the light of the observations and directions contained in the judgment herein with in a period of 6 weeks from the date of receipt of copy of this order.



WEB COPY

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

Sd/-
Assistant Registrar (CS-II)

//True copy//

Sub Assistant Registrar

To:

1. The Principal District Judge of Salem.
2. The I Additional Subordinate Judge, Salem.
3. The Sub Judge, Salem.

Copy To

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

+lcc to Mr.V.R.Anna Gandhi, Advocate SR.No.15383

DATED : 08/03/2022

DECREE :

S.A. No. 81 of 2017

Allowing and Disposing of the Appeal preferred against the judgment and decree of the Principal District Judge, Salem, dated 10.10.2014 made in A.S. No.56 of 2011 confirming the judgment and decree of the I Additional Sub Judge, Salem dated 30.09.2010 made in O.S. No.102 of 2007 etc., as stated within.

KK (CO)
GMY (30/03/2022)