



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(Civil Appellate Jurisdiction)
Thursday, the Tenth day of March Two Thousand Twenty Two
PRESENT**

**The Hon`ble Mr.Justice R. VIJAYAKUMAR
SA(MD) . No.671 of 2007**

WEB COPY

1.Adaikan (Died),
2.Duraiaraj
3.Sivajothi ... Appellants/Appellants/Plaintiffs

4.Vijaya
5.Tamilselvan
6.T.Ramalingam
7.Divya ...Appellants/LRs of the Deceased 1st
Appellant/LRs of the Deceased 1st Plaintiff

Vs

Raman ... Respondent/Respondent/Defendant
(Appellants 4 to 7 are brought on record as legal heirs of the deceased first appellant vide order dated 16.07.2021)

Prayer:-

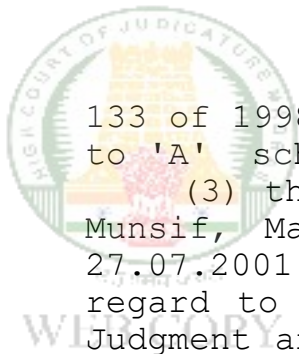
Appeal filed under Section 100 of C.P.C., against the Judgment and Decree of the II Additional Subordinate Judge,Tiruchirappalli dated 16.08.2005 made in Appeal Suit No. 99 of 2001, confirming the Judgment and Decree of the court of the District Munsif, Manapparai made in Original Suit No. 133 of 1998 dated 27.07.2001.

DECREE:-

This Second Appeal coming on for hearing on Wednesday, the Fifth day of January, Two Thousand and 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 Suit and upon hearing the arguments of Mr.BABU RAJENDRAN, Advocate for the Appellants and of Mr.RAGHUVARAN GOPALAN for Mr.K.PRABHAKAR, Advocate for the Respondent,having stood over for consideration till this date , this Court while allowing this Appeal in part, doth order and decree as follows:-

(1) That, the Judgment and Decree of the II Additional Subordinate Judge,Tiruchirappalli dated 16.08.2005 made in Appeal Suit No. 99 of 2001, confirming the Judgment and Decree of the court of the District Munsif, Manapparai made in Original Suit No. 133 of 1998 dated 27.07.2001 be and hereby confirmed with regard to 'B' and 'C' schedule properties;

(2) that, the Judgment and Decree of the II Additional Subordinate Judge,Tiruchirappalli dated 16.08.2005 made in Appeal Suit No. 99 of 2001, confirming the Judgment and Decree of the court of the District Munsif, Manapparai made in Original Suit No.



133 of 1998 dated 27.07.2001 be and hereby set aside with regard to 'A' schedule properties;

(3) that, the Judgment and Decree of the court of the District Munsif, Manapparai made in Original Suit No. 133 of 1998 dated 27.07.2001 be and hereby is decreed in favour of the plaintiffs with regard to 'A' schedule property alone and in other respects, the Judgment and Decree of the courts below be and hereby are confirmed and

(4) That, there be no costs in this Second Appeal.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1) The II Additional Subordinate Judge, Tiruchirappalli.

2) The District Munsif, Manapparai.

Copy to:

The Section Officer,

V.R. Section,

Madurai Bench of Madras High Court, Madurai

+2 CC to M/s.BABU RAJENDRAN, Advocate (SR-11486[F] dated 11/03/2022)

+2 CC to M/s.K.PRABHAKAR, Advocate (SR-11604[F] dated 11/03/2022)

ORDER DATED : 10/03/2022

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DECREE

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SA(MD). No.671 of 2007

Nature of Decree:-

Allowing the Second
Appeal in part preferred
against the judgment
and decree Subordinate
Judge, Tiruchirappalli
dated 16.08.2005 made in
Appeal Suit No.99 of
2001, confirming the
Judgment and Decree of
the court of the District
Munsif, Manapparai made
in Original Suit No. 133
of 1998 dated 27.07.2001
and etc., as stated
within.

MGJ(28.03.2022) 2P 9C