



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
(Civil Appellate Jurisdiction)

Monday, the Fourteenth day of February Two Thousand and Twenty Two  
PRESENT

**The Hon`ble Mr.Justice G.R.SWAMINATHAN**

SA(MD)No.110 of 2010

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MANOHARAN

... APPELLANT/APPELLANT/  
2ND DEFENDANT

Vs

1.RAMASAMY (DIED) ... 1ST RESPONDENT/1ST RESPONDENT/  
PLAINTIFF  
2.SOLLAIAMMAL  
3.SELVARANI  
4.SHANMUGAM ... 2 TO 4 RESPONDENTS/2 TO 4 RESPONDENTS/  
DEFENDANTS 1, 3 & 4  
5.S.SARAVANASELVAN ... RESPONDENT  
(R5 IMPEADED VIDE ORDER  
DT.11.12.2013 IN  
MP(MD)NO.1 OF 2013)  
6.R.KAVITHA ... RESPONDENT  
(R6 IMPEADED VIDE ORDER  
DT.14.02.2022 IN  
CMP(MD)NO.1205 OF 2022)

**Prayer :-** Second Appeal filed under Section 100 of the Civil Procedure Code, against the Judgment and Decree dated 01.10.2009 made in A.S.No.31 of 2008 on the file of the Additional Subordinate Court, Karur, confirming the Judgment and Decree dated 29.02.2008 made in O.S.No.1449 of 2004 on the file of the Principal District Munsif, Karur.

**Decree :** This Second Appeal came up for hearing on this day, 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.R.Devaraj, Advocate for the Appellant, Mr.M.Karthikeya Venkitachalapathy, Advocate for the 2<sup>nd</sup> & 5<sup>th</sup> Respondents and of Mr.AN.Ramanathan, Advocate for the 6<sup>th</sup> Respondent, this Court doth order and decree as follows:-

i)That all the adverse findings rendered against the appellant herein regarding title in the Judgment and Decree dated 01.10.2009 passed in A.S.No.31 of 2008 on the file of the Additional Subordinate Judge, Karur, confirming the Judgment and Decree dated 29.02.2008 passed in O.S.No.1449 of 2004 on the file of the Principal District Munsif, Karur, shall stand vacated.



ii) That the finding regarding possession alone be and hereby is confirmed, this Second Appeal is dismissed; and

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

Sd/-

Assistant Registrar (CS-II)

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/ /2022

Sub Assistant Registrar(CS)

**TO**

1. The Additional Subordinate Judge,  
Karur.

2. The Principal District Munsif,  
Karur.

**Copy to:**

The Record Keeper,  
V.R. Section,  
Madurai Bench of Madras High Court,  
Madurai. (2 copies)

+1 CC to M/s.AN.RAMANATHAN, Advocate, SR.No.6029

+1 CC to M/s.R.DEVARAJ, Advocate, SR.No.6355

**ORDER DATED : 14/02/2022**

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**DECREE**

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**SA(MD)No.110 of 2010**

**Nature of Decree:-**

**Dismissing the Second Appeal preferred against Judgment and Decree of the Additional Subordinate Judge, Karur, passed in A.S.No.31 of 2008 dated 01.10.2009 and preferred against the Judgment and Decree of the Principal District Munsif, Karur, passed in O.S.No.1449 of 2004, dated 29.02.2008 etc., as stated within.**

RS (15.03.2022) 2P-7C

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