



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

Monday, the Fourteenth day of March Two Thousand Twenty Two

PRESENT

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

SA(MD) . No.211 of 2010

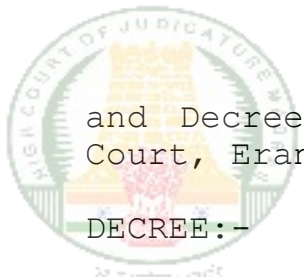
ABDUL HAMEED,
S/O. SYED HUSSAIN BABU BHAVANAM,
MANAVALAKURICHY MANAVALAKURICHY VILLAGE,
KALKULAM TALUK KANYAKUMARI DISTRICT ... Appellant / Appellant
/ Plaintiff
.Vs.

- 1 THE SUPERINTENDING ENGINEER
TAMIL NADU ELECTRICITY BOARD, DISTILLERY,
ROAD, VADASERY, NAGRCOIL, VADASERY VILLAGE,,
AGASTEESWARAM TALUK, KANYAKUMARI DISTRICT
- 2 THE JUINOR ENGINEER
(DISTRIBUTION), TAMIL NADU ELECTRICITY BOARD,,
MANAVALAKURICHY POST & VILLAGE, KALKULAM,
TALUK, KANYAKUMARI DISTRICT
- 3 MOHAMMED YOOSUF (DIED)
S/O. SYED MOHAMMED, OLD ALI TALKIES COMPOUND,,
MANAVALAKURICHY POST AND VILLAGE, KALKULAM,
TALUK, KANYAKUMARI DISTRICT
- 4 SYED ALI FATHIMA,
W/O. LATE MOHAMMED YOOSUF.
- 5 FATHIMA SAFREEN,
D/O. LATE MOHAMMED YOOSUF.
- 6 SYED MOHAMMED AFRIEN,
S/O. LATE MOHAMMED YOOSUF
(4th Respondents to 6th Respondents
are suo motu impleaded as LR's of the
deceased 3rd respondent) ... Respondents / Respondents /
Defendants

Prayer:-

Second Appeal filed under Section 100 of C.P.C., against
the judgment and decree dated 26.09.2008 by the Subordinate Judge,
Tirunelveli District Court, made in A.S. No.90 of 2006 confirming the Judgment

<https://hcmcaonline.hcmj.org.in/>



and Decree dated 20.09.2005 by the Additional District Munsif Court, Eraniel in O.S. No.168 of 1999.

DECREE:-

This Second Appeal coming on for hearing on this date, 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.K.N.THAMPI, Advocate for the Appellant and of Mr.B.RAMANATHAN, Advocate for first and second respondents, Mr.V.M.BALAMOZHANTHAMBI, Advocate for the fourth to sixth respondents, this Court doth order and decree as follows:-

(1) That the Judgment and Decree passed in A.S.90 of 2006 dated 26.09.2008 on the file of the sub court Padmanabhapuram, confirming the Judgment and decree in O.S. No.168 of 1999 dated 20.09.2005 on the file of the Additional District Munsif, Eraniel, be and hereby are confirmed and this Second appeal is dismissed.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

- 1) The Subordinate Judge, Padmanabhapuram
- 2) The Additional District Munsif, Eraniel.

Copy to:

The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to M/s.K.N.THAMPI, Advocate (SR-12068 dated 15/03/2022)

+1 CC to M/s.B.RAMANATHAN, Advocate (SR-12065 dated 15/03/2022)

+1 CC to M/s.V.M.BALAMOZHANTHAMBI, Advocate (SR-12605 dated 16/03/2022)



WEB COPY

SA(MD). No.211 of 2010

ORDER DATED : 14/03/2022

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DECREE

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SA(MD). No.211 of 2010

Dismissing the Second Appeal against the judgment and decree, dated 26.09.2008, passed in A.S.No.90 of 2006 on the file of the Sub Court, Padmanabhapuram, confirming the judgment and decree, dated 20.09.2005, passed in O.S.No.168 of 1999 on the file of the Additional District Munsif Court, Eraniel and as stated therein etc.,

RD(29.03.2022) 3P 8C