



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Tuesday, the Twenty Second day of March Two Thousand
and Twenty Two

WEB COPY

PRESENT

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

SA(MD)No.220 of 2010

1.KASIRAJAN

2.RAJAGOPAL

... APPELLANTS/APPELLANTS/PLAINTIFFS

Vs

1.THAVASI

2.RAJAMMAL

3.NAVANEETHAN

4.KANDHAVAL (DIED) ... RESPONDENTS/RESPONDENTS/DEFENDANTS

5.GANGA LAKSHMI @ TAMIL SELVI

6.RAJKUMAR

7.SUMATHI

8.RAMESH KUMAR ... RESPONDENTS

(RESPONDENTS 5 TO 8 ARE SUO MOTU IMPEADED

AS Lrs OF THE DECEASED 4TH RESPONDENT

VIDE ORDER DT.22.02.2022)

Prayer :- Second Appeal filed under Section 100 of the Civil Procedure Code, against the Judgment and decree made in A.S.No.11 of 2008 on the Subordinate Judge, Virudhunagar, dated 25.08.2008 confirming the Judgment and Decree made in O.S.No.145 of 2005 on the file of the District Munsif Court, Virudhunagar dated 27.07.2007.

Decree: This Second Appeal came up for hearing on 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.A.Arumugam, for M/s.Ajmal Associates, Advocate for the Appellants, M/s.P.Malini, Advocate for the 1st to 3rd Respondents and 5th & 6th Respondent not appeared either in person or by Advocate, this Court doth order and decree as follows:-

i)That the Judgment and Decree dated 25.08.2008 passed in A.S.No.11 of 2008 on the file of the Subordinate Judge, Virudhunagar, confirming the Judgment and Decree dated 27.07.2007 passed in O.S.No.145 of 2005 on the file of the District Munsif Court, Virudhunagar, be and are hereby confirmed and this Second



ii) That, the finding the suit property was allotted in favour of Ramiah Konar in a oral partition shall stand vacated; and

ii) That there be no costs in the Second Appeal.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

TO

1. The Subordinate Judge,
Virudhunagar.

2. The District Munsif,
Virudhunagar.

Copy to:

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

+1 CC to M/s.P.MALINI, Advocate, SR.No.13509

+1 CC to M/s.AJMAL ASSOCIATES, Advocate, SR.No.13683

ORDER DATED : 22/03/2022

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DECREE

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SA(MD)No.220 of 2010

Nature of Decree:- Dismissing the Second Appeal preferred against Judgment and Decree of the Subordinate Judge, Virudhunagar, in A.S.No.11 of 2008 dated 25.08.2008 and preferred against the Judgment and Decree of the District Munsif, Virudhunagar passed in O.S.No.145 of 2005, dated 27.07.2007 etc., as stated within.

RD(12.04.2022) 2P 7C