



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(Civil Appellate Jurisdiction)
Monday, the Twenty Eighth day of March Two Thousand Twenty Two
PRESENT
The Hon`ble Mr.Justice G.R.SWAMINATHAN
SA(MD). No.377 of 2010

WEB COPY

1 GANAPATHY (DIED)
(1ST APPLT DIED MEMO USR
2361/13 DT.07/08/2013 RECORDED Vide Court Order Dated
07/08/13)

2 SREENIVASAN

3 KANDASAMY

4 SOLAICHAMY

5 KANNAN

6 PETCHIAMMAL,

7 PONRAJ,

8 SANTHI, ... Appellants/Appellants/Plaintiff

(Appellants 6 TO 8 are SUO MOTU impleaded as LRS of the deceased
1st appellant vide Court order dated 22.02.2022 made in SA(MD).
No.377 of 2010)

Vs

1 KANDASAMY NAICKAR

2 AYYAPPA NAICKAR

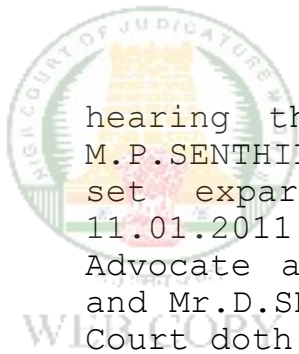
3 KALIRAJ

4 S.RAJESH KANNA, ... Respondents/Respondents/ Defendants

(R.4 is impleaded as party respondent vide order dated 17.02.2011
made in MP.1/11 IN SA.377/2010).

Prayer:- Second Appeal filed under Section 100 of C.P.C., to set
aside the judgment and decree of the lower appellate court dated
19.10.2009 made in Appeal Suit No. 28 of 2009 on the file of the
Subordinate Court, Kovilpatti, confirming the judgment and decree
of the trial court dated 26.08.2008 made in Original Suit No. 205
of 2000 on the file of District Munsif Court, Kovilpatti.

DECREE:- This Second Appeal coming on for hearing on this date, upon
perusing the grounds of Appeal, the judgments and decrees of the
Court and the material papers in the Suit and upon



hearing the arguments of MR.K.SRINIVASAN SENIR COUNSEL FOR MR. M.P.SENTHIL, Advocate for the Appeallants and of the 1st respondent set exparte the memo filed before the Hon'ble Court dated 11.01.2011 and of 2nd respondent of not appearing in person or by Advocate and MR.A.S.VAIGUNTH, Advocate for the third respondent, and Mr.D.SRINIVASA RAGHAVAN, Advocate for the fourth respondent this Court doth order and decree as follows:-

- (1) That the Judgment and Decree dated 19.10.2009_ made in Appeal Suit No._28 of 2009 on the file of the Subordinate Court, Kovilpatti, confirming the judgment and decree of the trial court dated 26.08.2008 made in Original Suit No. 205 of 2000 on the file of District Munsif Court, Kovilpatti be and hereby are confirmed and the Second appeal is dismissed.
- (2) That there be no order as to costs in this Appeal.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO

- 1.The Subordinate Judge, Kovilpatti.
- 2.The District Munsif, Kovilpatti.

Copy to:

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

+1 CC to M/s.M.P.SENTHIL, Advocate (SR-15037 dated 29/03/2022)

ORDER DATED : 28/03/2022

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DECREE

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SA(MD). No.377 of 2010

Nature of Decree:-Dismissing the Second Appeal preferred against the judgment and decree of the lower appellate court dated 19.10.2009_ made in Appeal Suit No._28 of 2009 on the file of the Subordinate Court, Kovilpatti, confirming the judgment and decree of the trial court dated 26.08.2008 made in Original Suit No. 205 of 2000 on the file of District Munsif Court, Kovilpatti. etc., as stated within.