



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Friday, the Fourth day of March Two Thousand Twenty Two

PRESENT

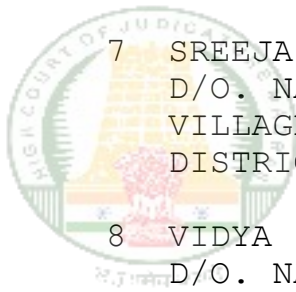
The Hon`ble Mr.Justice G.R.SWAMINATHAN

SA(MD) . No.38 of 2010

VAMADEVAN NAIR,
S/O. SIVASANKARA PILLAI SANKARAVILASAM ,
BUNGALOW ANDOR DESOM ARUVIKKARAI VILLAGE ,
KALKULAM TK
KANYAKUMARI DISTRICT .. Appellant / Appellant /
1st Defendant

Vs

- 1 HARISWARAN NAIR
S/O. SIVASANKARAN PILLAI, RAJESH BHAVAN,,
ANDOR DESOM, ARUVIKKARAI VILLAGE, KALKULAM,
TALUK, KANYAKUMARI DISTRICT
.. Respondent /
1st Respondent / Plaintiff
- 2 NAKENDREN NAIR
S/O. SIVASANKARAN PILLAI, SANKARA VILASAM,,
ANDOR DESOM, ARUVIKKARAI VILLAGE, KALKULAM,
TALUK, KANYAKUMARI DISTRICT..
- 3 DEVABALAN NAIR
S/O. SIVASANKARAN PILLAI, INDIRA BHAVAN,,
PONMANI PO & VILLAGE, KALKULAM TALUK,,
KANYAKUMARI DISTRICT..
- 4 PADMINI
W/O. RAVEENDRAN THAMBY, PADMA COMPLED, ANDOR,,
ARUVIKKARAI VILLAGE, KALKULAM TALUK,,
KANYAKUMARI DISTRICT..
- 5 PRANESHWARI
W/O. BALACHANDRAN PRASATH BHAVAN, ANDOR,,
ARUVIKKARAI VILLAGE, KALKULAM TALUK,,
KANYAKUMARI DISTRICT..
- 6 SUJATHA
W/O. NARAYANA NAIR, ANDOR, ARUVIKKARAI,
VILLAGE, KALKULAM TALUK, KANYAKUMARI,
DISTRICT..



- 7 SREEJA
D/O. NARAYANA NAIR, ANDOR, ARUVIKKARAI,
VILLAGE, KALKULAM TALUK, KANYAKUMARI,
DISTRICT..
- 8 VIDYA
D/O. NARAYANA NAIR, ANDOR, ARUVIKKARAI,
VILLAGE, KALKULAM TALUK, KANYAKUMARI,
DISTRICT..
- 9 SPECIAL OFFICER
PRIMARY LAND DEVELOPMENT BANK, KULASEKARAM,,
THIRUVATTAR VILLAGE, KANYAKUMARI DISTRICT..

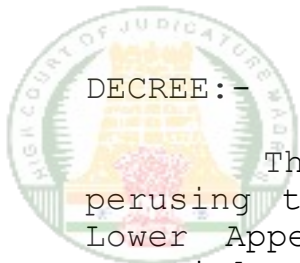
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- 10 THE SECRETARY
PRIMARY LAND DEVELOPMENT BANK, THUCKALAY AND,
VILLAGE, KANYAKUMARI DISTRICT..
- 11 RAVEENDINDRAN
S/O. PALAIYAN, KONATHUVILAI, KUDAITHOKKI,,
ARUVIKKARAI VILLAGE, KALKULAM TALUK,,
KANYAKUMARI DISTRICT..
- 12 SELVAKUMARI
W/O. RAVEENDINDRAN, KONATHUVILAI,,
KUDAITHOKKI, ARUVIKKARAI VILLAGE, KALKULAM,
TALUK, KANYAKUMARI DISTRICT..
- 13 SOBANABAI
D/O. KESAVAN, VALIYATHU MUGAM, ARUVIKKARAI,
VILLAGE, KALKULAM TALUK, KANYAKUMARI,
DISTRICT
- 14 MANIKANDAN NAIR
S/O. KESAVA PILLAI, KALVETTAN KUZHI,,
CHRUTHIKONAM, MANGALAM DESOM PONMANI VILLAGE,,
KALKULAM TALUK, KANYAKUMARI DISTRICT..
- 15 SYAMALABAI
W/O. MANIKAND NAIR, KALVETTAN KUZHI,,
CHRUTHIKONAM, MANGALAM DESOM, PONMANI,
VILLAGE, KALKULAM TALUK,
KANYAKUMARI DISTRICT

... Respondents / 2nd to 15th Respondents
/ 2nd to 15th Defendants

Prayer:-

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree passed in A.S. No.119 of 2006 dated 23.06.2009 on the file of the First Additional Subordinate Court, Nagercoil (Camp at Padmanabhapuram) confirming the Judgement and decree passed in O.S. No.15 of 2003, dated 27.06.2006 on the file of the Principal District Munsif, Padmanabhapuram.



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.P.NARAYANAKUMAR, Advocate for the Appellant and of Mr.S.RAMESH, Advocate for the first to eighth respondents, ninth, thirteenth and fifteenth respondents not appeared either in person or by an Advocate and this Court doth order and decree as follows:-

(1) That the Judgement and decree passed in A.S.No.119 of 2006 dated 23.06.2009 on the file of the I Additional Subordinate Court, Nagercoil (Camp at Padmanabhapuram) confirming the Judgement and decree passed in O.S. No.15 of 2003, dated 27.06.2006 on the file of the Principal District Munsif, Padmanabhapuram is hereby 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)

Encl: Photocopy of Schedule of Property

To

1) The First Additional Subordinate Judge, Nagercoil.

2) The Principal District Munsif, Padmanabhapuram.

Copy to:

The Section Officer,
V.R. Section,

Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to M/s.K.P.NARAYANAKUMAR, Advocate (SR-10251 dt. 07/03/2022)

+1 CC to M/s.V.RAGHAVACHARI, Advocate (SR-10390 dated 07/03/2022)



WEB COPY

ORDER DATED : 04/03/2022

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DECREE

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SA(MD) . No.38 of 2010

Nature of Decree:- Dismissing the Second Appeal preferred against the judgment and decree made in A.S. No.119 of 2006 dated 27.06.2009 on the file of the First Additional Subordinate Court, Nagercoil (Camp at Padmanabhapuram) confirming the Judgment and Decree passed in O.S. No.15 of 2003 dated 02.06.2006 on the file of the Principal District Munsif, Padmanabhapuram and etc., as stated within.

MGJ(11.04.2022) 4P 7C