



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Monday, the Twenty Eighth day of February Two Thousand Twenty Two

PRESENT

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

SA(MD) . No.400 of 2010

- 1.NAGARAJAN (DIED)
- 2.PUSHPAMMAL
- 3.RAJALAKSHMI
- 4.SHANMUGAVALLI
- 5.PALANICHAMY
- 6.BALASUBRAMANIAN

... Appellant/1st Respondent/Plaintiff

(Appellants 2 TO 6 are brought on record as Lrs of the deceased sole appellant vide court order dated 11.02.2022 made in CMP(MD) Nos.2155, 2156, 2157 & 2158/2017)

Vs

- 1 RAKAPPA KONAR
- 2 BOOBATHI
- 3 SUBRAMANIAN
- 4 MALAICHAMY

- 5 ARUMUGAM ... Respondents / Appellants / Defendants 1 to 5
- 6 THE DISTRICT COLLECTOR
RAMANATHAPURAM DISTRICT, RAMANATHAPURAM..
- 7 THE TAHSILDAR
PARAMAKUDI TALUK, RAMANATHAPURAM DISTRICT..
- 8 THE COMMISSIONER
PARAMAKUDI PANCHAYAT UNION, PARAMAKUDI TALUK,,
RAMANATHAPURAM DISTRICT..

... Respondents / Respondents 2 to 4/
Defendants 6 to 8

Prayer:-

Second Appeal filed under Section 100 of Code of Civil Procedure, against the Judgment and Decree dated 26/11/2009 made in

<https://hcservices.ecourts.gov.in/hcservices/>



Appeal Suit No.5 of 2008 on the file of the Subordinate Judge, Paramakudi, reversing the Judgment and Decree dated 18/09/2007 made in Original Suit No.147 of 2005 on the file of the District Munsif, Paramakudi.

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. M.P.T.S.Narendravasan advocate for the appellants, Mr.K.Mahendran, advocate for the respondents 1to5, Mr.N.Muthu Vijayan, Special Government Pleader for the respondents 6 and 7 Mr.M.Rajarajan advocate for the 8th respondent this Court doth order and decree as follows:-

(1) That the Judgment and Decree of the Subordinate Judge, Paramakudi dated 26/11/2009 made in Appeal Suit No.5 of 2008 reversing the Judgment and Decree dated 18/09/2007 made in Original Suit No.147 of 2005 on the file of the District Munsif, Paramakudi be and hereby are confirmed, this second appeal is dismissed; and

(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,
Paramakudi.

2.The District Munsif,
Paramakudi.

Copy to:

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

+1 CC to M/s.K.MAHENDRAN, Advocate (SR-9083 dated 28/02/2022)

