



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Tuesday, the Twenty Second day of February Two Thousand Twenty Two

PRESENT

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

SA(MD) . No.424 of 2010

1.JOHN MOHANRAJ
2.Valsaar
3.Therasammal

... Appellants/Appellants/Defendants 1 to 3

Vs

1.KAMALAM,

... Respondent/Respondent/Plaintiff

Prayer :-

This Second Appeal Suit is filed under Section 100 of the Civil Procedure Code, preferred against the decree and Judgment dated 30.06.2009, passed in AS No.89 of 2007 by the I Addl. Sub Judge, Nagercoil at Padmanabhapuram, confirming the Judgement and Decree in OS No.277 of 2005 dated 31.07.2007 on the file of the Principal District Munsif, Padmanabhapuram.

Decree:-

This Second Appeal coming on for hearing on this day, upon perusing the Grounds of Appeal and the Judgment and Decrees of the Lower Appellate Court and the Court of first Instance and upon hearing the arguments of Mr.Ramesh, Advocate, for the Appellants and MrV.M.Bala Mohan Thampi, Advocate, for the Respondent, this court doth order and decree as follows:-

i)That, the Second Appeal be and hereby is disposed by holding that the impugned decree cannot be enforced against the appellants;

ii) that, the benefit of the impugned decree also shall not be ensured in favour of any third party; and

ii)That, there be no order to cost in this Second Appeal.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



TO

1. I Addl. Sub Judge, Nagercoil at Padmanabhapuram.
2. The Principal District Munsif, Padmanabhapuram.

Copy to:

The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court, Madurai

+1 CC to M/s.V.M.BALAMOHAN THAMBI, Advocate (SR-8212 dated 23/02/2022)

+1 CC to M/s.V.RAGHAVACHARI, Advocate (SR-8213 dated 23/02/2022)
ORDER DATED : 22/02/2022

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DECREE

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SA(MD) . No.424 of 2010

Allowing the SA(MD) . No.424 of 2010, preferred against judgment and decree passed in AS No.89 of 2007 by I Addl.Sub Judge, Padmanabhapuram, confirming that of the Judgement and Decree in OS No.277 of 2005 dated 31.07.2007 on the file of the Principal District Munsif, Padmanabhapuram. etc. as stated within.

MGJ(28.03.2022) 2P 7C