



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Wednesday, the Sixteenth day of March Two Thousand Twenty Two

PRESENT

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

SA(MD) . No.449 of 2010

1. KARUPPAIAH

2. Krishnamoorthy

...Appellants /Respondents/Defendants

Vs

PALANIYAMMAL

... Respondent/Appellant/Plaintiff

Prayer :-

Appeal filed under Section 100 of C.P.C., preferred against the Judgment and Decree passed in A.S.No.15 of 2006 dated 11.10.2007, on the file of the Principal District Court, Pudukkottai, reversing the Judgment and Decree passed in O.S.No.130 of 2002 dated 12.09.2005, on the file of the Sub Court, Pudukkottai.

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 Instance and upon hearing the arguments of Mr.K.Balasundaram, advocate for the Appellants and Mr.Madhavan, advocate for Mr.M.Karthikeya Venkitachalapathy Advocate for the Respondent, while allowing the Second Appeal in part, this Court doth order and decree as follows:-

i) That the Appellants herein be and are hereby directed to hand over possession of property which was allotted to Rengarasu @ Rengar under EX.B1 to the Plaintiff.

ii) that since the property covered under ExB2 is the absolute property of Krishnamoorthy, the plaintiff shall not entitle to have any claim thereon;

iii) that the judgment and decree passed by the first Appellate Court be and are hereby modified accordingly; and

iv) That, there be no costs in this Second Appeal.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)



To

1. The Principal District Judge, Pudukkottai.
2. The Sub Judge, Pudukkottai.

Copy to:

The Record Keeper,

V.R. Section,

Madurai Bench of Madras High Court, Madurai(+2COPIES)

+1 CC to M/s.M.KARTHIKEYA VENKITACHALAPATHY, Advocate (SR-12663 dated 17/03/2022)

+1 CC to M/s.K.BAALASUNDHARAM, Advocate (SR-12610 dated 16/03/2022)

ORDER DATED : 16/03/2022

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DECREE

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SA(MD). No.449 of 2010

Nature of Decree:

Parly Allowing the SA(MD).No.449 of 2010 preferred against the Judgment and Decree passed in A.S.No.15 of 2006 dated 11.10.2007, on the file of the Principal District Court, Pudukkottai, reversing the Judgment and Decree passed in O.S.No.130 of 2002 dated 12.09.2005, on the file of the Sub Court, Pudukkottai. etc. as stated within.

MGJ(18.04.2022) 2P 7C