



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(Civil Appellate Jurisdiction)

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

PRESENT

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

SA(MD) . No.515 of 2010

R.SUNDARARAJAN,

... Appellant/Respondent/Plaintiff

Vs

1 P. RAJU, (died)

2 RANI,

3 GOMATHI,

4 C.RAMAMOORTHY, ... Respondents/Appellants/Defendants

Prayer :-

Second Appeal filed under section 100 of C.P.C., preferred against the Judgment and Decree dated 28.08.2008 made in A.S No.19 of 2006 on the file of the Principal District Court, Dindigul, reversing the Judgment and Decree dated 17.02.2006, made in OS No.43 of 2001 on the file of the Principal Sub Court, Dindigul.

Decree:

This Second Appeal coming on this day, upon perusing the Grounds of the Appeal, the Judgment 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.T.Arul, Advocate, for Mr.R.Nandakumar, Advocate for the Appellant and Mr. R.Sundar, Advocate for the R2 to R4, This Court while modifying, the Judgment and decree of the first Appellate Court and allowing the Appeal in part, doth order and decree as follows:-

- i) That, the Respondents herein/Defendants be and hereby are directed to return the amount of Rs.2,00,000/- with interest at the rate of 15% p.a with effect from 13.10.1997 to the appellant/Plaintiff,
- ii) that the Respondents herein/Defendants be and hereby are granted eight weeks time to make the said payment;
- v) That, there be no cost in this Second Appeal.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



TO

1.The Principal District Judge, Dindigul.

2.The Principal Sub Judge,Dindigul.

Copy to:

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The Record Keeper,

V.R. Section,

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

+1 CC to M/s.R.NANDAKUMAR, Advocate (SR-13619 dated 22/03/2022)

+1 CC to M/s.R.SUNDAR, Advocate (SR-13697 dated 23/03/2022)

ORDER DATED : 22/03/2022

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DECREE
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SA(MD) . No.515 of 2010

Partly allowing the SA(MD) . No.515 of 2010 preferred against Judgement and Decree dated 28.08.2008 made in A.S No.19 of 2006 on the file of the Principal District Court, Dindigul, as reversing the Judgment and Decree dated 17.02.2006, made in OS No.43 of 2001 on the file of the Principal sub Court,Dindigul

MGJ(05.04.2022) 2P 7C