



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

Monday, the Sixth day of June, Two Thousand and Twenty Two

WEB COPY

PRESENT

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

SA(MD) . No.212 of 2011

1. Kanyakumari C.S.I. Trust Association,
Represented by
 - a) The Bishop, Kanyakumari C.S.I. Diocese,
Bishop house, Nagercoil,
Kanyakumari District.
 - b) The Treasurer,
Kanyakumari C.S.I. Diocese,
Nagercoil,
Kanyakumari District.
2. John Stalin,
Pastor, C.S.I. Church,
Murambuvila,
Kanyakumari District.

(Cause title of the appellants is
amended vide Court order dated
06.10.2021 made in CMP(MD) No.7121 of
2021 in S.A.(MD)212 of 2011)

... Appellants/Appellants/Defendants 1 & 2

Vs.

1. Rassalam
 2. Chellappan
 3. Ponnupillai
 4. Thapasimuthu
 5. Rev.Kenoz Solomon
 6. Wilson
 7. Johnson
 8. Sobathi
- ... Respondents 1-5/ Respondents 1-5 /
Plaintiffs
- ... Respondents 6-8/Respondents 6-8 /
Defendants 3-5



Prayer:-

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree of the District Judge, District Court, Kanyakumari at Nagercoil dated 13.09.2010 made in Appeal Suit No.121 of 2004 preferred against the judgment and decree of the court of the Subordinate Judge, Kuzhithurai made in Original Suit No.55 of 1997 dated 07/01/2004.

DECREE:-

This Second Appeal came up for final hearing on Thursday, the Twenty Eighth day of April, Two Thousand and Twenty Two, 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.SREEKUMARAN NAIR, Advocate for the Appellants, and of MR.S.RAMESH FOR MR.V.RAGHAVACHARI, Advocate for the respondents 3 to 5 herin, and this Court having stood over the matter for consideration till this day, this Court doth order and decree as follows:-

(1) That the judgment and decree dated 13.09.2010 made in Appeal Suit No.121 of 2004 on the file of the District Court, Kanyakumari at Nagercoil, confirming the judgment and decree dated 07/01/2004 made in Original Suit No.55 of 1997 on the file of the Subordinate Court, Kuzhithurai be and hereby is confirmed and this Second Appeal is dismissed;

(2) And that there be no costs in this Appeal.

Sd/-

Assistant Registrar (CS III)

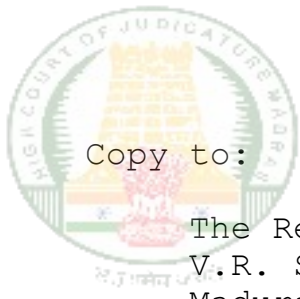
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/ /2022

Sub Assistant Registrar(CS)

TO

1. The District Judge,
Kanyakumari at Nagercoil.
2. The Subordinate Judge,
Kuzhithurai.



SA(MD)



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Copy to:

The Record Keeper,
V.R. Section,

Madurai Bench of Madras High Court, Madurai - 2 Copies

+2 CC to M/s.V. RAGHAVACHARI, Advocate (SR-24327 dated 06/06/2022)

+1 CC to M/s.K.SREEKUMARAN NAIR, Advocate (SR-24371 dated 07/06/2022)

dks

ORDER DATED : 06/06/2022

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DECREE

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SA(MD). No.212 of 2011

Nature of Decree:-

Dismissing the Second Appeal preferred against the judgment and decree dated 13.09.2010 made in Appeal Suit No.121 of 2004 on the file of the District Court, Kanyakumari at Nagercoil, confirming the judgment and decree dated 07/01/2004 made in Original Suit No.55 of 1997 on the file of the Subordinate Court, Kuzhithurai.

MK/06.07.2022/3P/8C