



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

Monday, the Fourth day of April Two Thousand
and Twenty Two

PRESENT

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

SA(MD)No.831 of 2010

V.P.RADHAKRISHNAN

... APPELLANT/RESPONDENT/
PLAINTIFF

Vs

1.A.SUDHANTHIRA DEVI

... RESPONDENT/APPELLANT/
2ND DEFENDANT

2.B.SELVI

... RESPONDENT/RESPONDENT/
1ST DEFENDANT

Prayer :- Second Appeal filed under Section 100 of C.P.C., against the Decree and Judgment dated 29.04.2010 made in A.S.No.219 of 2009 on the file of the Principal District Judge, Tiruchirappalli, reversing the Judgment and Decree dated 05.08.2009 made in O.S.No.812 of 2001 on the file of the I Additional Sub Judge, Tiruchirappalli.

Decree: This Second Appeal came up for hearing on this day, upon perusing the Grounds of Appeal, the Judgment and Decree of the Lower Appellate Court and the Court of First Instance and the material papers in the suit and upon hearing the arguments of Mrs.N.Krishnaveni, Senior Counsel for Mr.P.Thiagarajan, Advocate for the Appellant and Mr.S.Muthukrishnan, Advocate for the first Respondent, this Court while disposing of the Second Appeal, doth order and decree as follows:-

i)That, the Judgment and Decree dated 29.04.2010 made in A.S.No.219 of 2009 be and is hereby set aside;

ii)That, the first Respondent shall pay a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the appellant within a period of twelve weeks from today;

iii)That, the first Respondent shall pay a sum of Rs.1,00,000/- (Rupees One Lakh only) with interest to be calculated @ 12% p.a. with effect from 26.10.1998 within twelve weeks from today;



iv) That, in the event of failure on the part of the first respondent to pay the aforesaid amounts within the period prescribed above, the plaintiff be and is hereby entitled to the relief of specific performance as ordered by the trial Court;

v) That, the Plaintiff be and is hereby entitled to withdraw whatever amounts deposited by her in terms of the decree passed by the trial Court together with accrued interest; and

vi) 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,
Tiruchirappalli.
- 2.The I Additional Subordinate Judge,
Tiruchirappalli.

Copy to:

The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai. (2 copies)

+1 CC to M/s.S.MUTHUKRISHNAN, Advocate, SR.No.16560

+1 CC to M/s.P.THIYAGARAJAN, Advocate, SR.No.16976

ORDER DATED : 04/04/2022

=====

DECREE

=====

SA(MD)No.831 of 2010

Nature of Decree:-

Disposing the Second Appeal preferred against the Judgment and Decree dated 29.04.2010 made in A.S.No.219 of 2009 on the file of the Principal District Judge, Tiruchirappalli, reversing the Judgment and Decree dated 05.08.2009 made in O.S.No.812 of 2001 on the file of the Ist Additional Subordinate Judge, Tiruchirappalli.

MK/19.04.2022/2P/7C

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