



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Thursday, the Ninth day of June Two Thousand
and Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr.Justice N.SESHASAYEE

SA(MD)No.836 of 2010

VIJAYARANI

... APPELLANT/RESPONDENT/PLAINTIFF

Vs

1.DURAI @ PALANIYANDI
2.MUTHAIAH (DIED)
3.RENGASAMY
4.ILANGO

... RESPONDENTS 1 TO 4/APPELLANTS/ DEFENDANTS

5.MANANJAI
6.SARATHAM
7.CHINNAPONNU
8.ANJALAI

... RESPONDENTS 5 TO 8

(R5 TO 8 ARE BROUGHT ON RECORD AS LRS OF THE DECEASED 2ND RESPONDENT
VIDE COURT ORDER DT.10.02.22 IN CMP(MD)NOS.3524 TO 3526/19)

Prayer :- Second Appeal filed under Section 100 of Civil Procedure Code to set aside the judgment and decree in A.S.No.147 of 2008 on the file of Sub Court, Pudukkottai dated 04.12.2009 reversing the judgment and decree in O.S.No194 of 2006 on the file of District Munsif Court, Pudukkottai dated 26.10.2007.

Decree: This Second Appeal came up for hearing on 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 Mr.K.Baalasundharam, Advocate for the Appellants Mr.A.Arumugam, Advocate, M/S.Ajmal Associates for the 1st & 3rd Respondents and 6th to 8th Respondent not appeared either in person or by Advocate, this Court doth order and decree as follows:-

i)That, the Judgment and decree dated 04.12.2009 passed in A.S.No.147 of 2008 on the file of the Subordinate Judge, Pudukkottai be and hereby set aside and this Second Appeal is Allowed;



ii) that, the Judgment and decree dated 26.10.2007 passed in O.S.No.194 of 2006 on the file of the District Munsif, Pudukkottai, be and hereby restored and

iii) that, there be no costs in this Second Appeal.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/06/2022

Sub Assistant Registrar (CS)

ENCL: Xerox of Schedule of Property

TO

1.The Subordinate Judge,
Pudukkottai.

2.The Principal District Munsif,
Pudukkottai.

Copy to:

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

+1 CC to M/s.AJMAL ASSOCIATES, Advocate, SR.No.25013

ORDER DATED : 09/06/2022

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DECREE

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SA(MD)No.836 of 2010

Nature of Decree:-Allowing the Second Appeal preferred against Judgment and Decree of the Subordinate Judge, Pudukkottai, passed in A.S.No.147 of 2008 dated 04.12.2009 and preferred against the Judgment and Decree of the District Munsif, Pudukkottai, passed in O.S.No.194 of 2006, dated 26.10.2007 etc., as stated within.

SS (27/06/2022) 2P 6C

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