



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Wednesday, the Nineteenth day of January

Two Thousand and Twenty Two

PRESENT

The Hon'ble Mrs. Justice V.BHAVANI SUBBAROYAN

SA(MD) . No.219 of 2012

ARULMIGHU DHENUPUREESWARA-
SWAMI DEVASTHANAM
REPRESENTED BY ITS ,
EXECUTIVE OFFICER
PATTEESWARAM VILLAGE ,
KUMBAKONAM TALUK
THANJAVUR DISTRICT..

... Appellant/Appellant/
Plaintiff

Vs

- 1 K.JAYALAKSHMI
W/O.LATE C.KALIAPERUMAL,
- 2 K.DHURGA @ DEVI
D/O.LATE C.KALIAPERUMAL,
- 3 K.VENKATESAN @ VINOTH
S/O.LATE C.KALIAPERUMAL,
- 4 C.PONNUSAMY
S/O.CHINNAIYA UTTHAMUNDAR,
- 5 P.GOVINDARAJ,
S/O.PONNUSAMI
all are residing at
AGRAHARAM,
ATHANGARAI VAZINADAPPU,,
PATTEESWARAM,
KUMBAKONAM,
TANJORE.(CAUSE TITLE,

(Cause title accepted vide order
dated 12.04.2012 made in MP(MD)
No.1/2011 in SA(MD)SR.No.47000/2011

... Respondents/Respondents/
Defendants.

Prayer:-

Second Appeal filed under Section 100 of C.P.C., against
the judgment and decree dated 18.11.2010 made in A.S.No.224 of 2005
on the file of the Principal Sub Court, Kumbakonam, confirming the
judgment and decree dated 22.12.2000 made in O.S.No.377 of 1998 on
the file of the Principal District Munsif Court, Kumbakonam.



DECREE:-

This Second Appeal coming on for hearing on this date, 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 M/S.T.ANTONY ARULRAJ, Advocate for the Appellant, and none appeared for respondents, while allowing in part of this appeal, doth order and decree as follows:-

(1) That this court while confirming the relief of permanent injunction granted by the courts below had set aside the dismissal in respect of the claim of the plaintiff regarding mandatory injunction.

(2) that the defendants are directed to hand over the vacant possession of the land in question, failing which, the appellant/Plaintiff is at liberty to proceed against the defendants by filing necessary Execution petition and also by seeking police protection, if so needed.

(2) That there be no costs in this Appeal.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO

(1) The Principal Sub Court, Kumbakonam,

(2) The Principal District Munsif Court, Kumbakonam.

Copy to:

The Section Officer,V.R. Section,
Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to M/s.T.ANTONY ARUL RAJ, Advocate (SR-1867 dated
20/01/2022)

ORDER DATED : 19/01/2022

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DECREE

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SA(MD) . No.219 of 2012



WEB COPY

Nature of Decree:-

Allowing in part of this Second Appeal preferred against the judgment and decree dated 18.11.2010 passed in A.S.No.224 of 2005 on the file of the Principal Sub Court, Kumbakonam, confirming the judgment and decree dated 22.12.2000 passed in O.S.No.377 of 1998 on the file of the Principal District Munsif Court, Kumbakonam.

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