



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction)

Friday, the Twenty Eighth day of January Two Thousand
Twenty Two

PRESENT:

The Hon`ble Mr.Justice R. VIJAYAKUMAR

SA(MD) . No.410 of 2005

- | | |
|------------------|---|
| 1. Arumuga Nadar | |
| 2. Ponraj | |
| 3. Perumal Nadar | .. Appellants 1 to 3/Respondents
1, 2 & 4/Defendants 1,2 & 4 |
| 4. Muthammal | |
| 5. Lingaraj | |
| 6. Vellathurai | .. Appellants 4 to 6/Respondents
6 to 8/Legail Heirs of deceased D3 & D5 |

Vs

MUTHIAH NADAR .. Respondent/Appellant/Plaintiff

Prayer :-

This Second Appeal filed under Section 100 of the C P C., against the Judgment and Decree dated 15.12.2004, made in A.S. No.32 of 2003 on the file of Appellated Court/Subordinate Court, Tuticorin in reversing the Judgment and Decree dated 12.12.2002 made in O.S. No.42 of 2002 on the file of the District Munsif, Srivaikuntam.

DECREE:-

This Second Appeal coming on for hearing on Thursday the Sixth day of January, Two Thousand Twenty two (**06.01.2022**) upon perusing the Grounds of Appeal and the judgments and decrees of the Lower Appellate Court and the Court of First Instance and upon hearing the arguments of **Mr.R.DEVARAJ**, Advocate for the Appellants and of **Mr.M.P.SENTHIL**, Advocate for Respondent having stood over for consideration till this day and this Court while dismissing this Second Appeal doth order and decree as follows:-

(i) that the judgment and decree of the Appellate Court/Subordinate Court, Tuticorin made in A.S. No.32 of 2003 dated 15.12.2004 be and hereby is confirmed and the Second Appeal is dismissed and ;



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(ii) that there be no costs in this Second Appeal.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

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/ /2022

Sub Assistant Registrar(CS)

TO

1.The Judge, Appellate Court/Subordinate Court, Tuticorin.

2.The District Munisif, Srivaikuntam.

Copy to:

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

+1 CC to M/s.R.DEVARAJ, Advocate (SR-2737 dated 28/01/2022)

+1 CC to M/s.M.P.SENTHIL, Advocate (SR-2865 dated 28/01/2022)

ORDER DATED : 28/01/2022

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DECREE

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SA(MD) . No.410 of 2005

Dismissing the SA(MD) . No.410 of 2005 preferred against judgment and decree of the Appellate Court/Subordinate Court, Tuticorin made in A.S. No.32 of 2003 dated 15.12.2004, in reversing the well Consided Judgment and Decree dated 12.12.2002, made in O.S. No.42 of 2002 on the file of the District Munisif Courtm Srivaikuntam etc. as stated within.

RK(18/02/2022) 2P 7C