



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

Friday, the Seventh day of January Two Thousand and Twenty Two
PRESENT

The Hon'ble Mr.Justice R. VIJAYAKUMAR
SA(MD). No.859 of 2005

WEB COPY

1. A.Ramalingam,
2. A.Subbiah (died)
3. A.Krishnan ..Appellants/Respondents/
Defendants
4. Santhi
5. Krishnapriaya
6. Dhivya
(Appellants 4 to 6 are brought on
record as Lrs of the deceased 2nd
appellant vide order dated 17.11.2021
made in CMP(MD)No.6892 &6894 of 2021

.. Proposed Appellants

Vs

- 1 M.KAMALA AMMAL ..Respondent/Appellant/
Plaintiff
- 2 VELAYUDHAM ..Respondent/1st Respondent
1st Defendant.

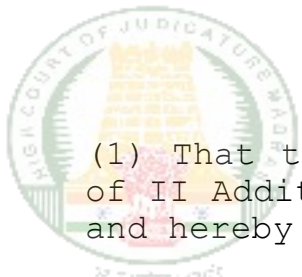
Prayer:-

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree made in A.S.No.162 of 2000 on the file of II Additional District Court, Tiruchirapalli dated 27.06.2001 reversing the judgment dismissing the suit filed in O,S.No.5 of 1982 on the file of District Munsif Court, Tiruchirapalli dated 28.04.2000.

DECREE:-

This Second Appeal coming up for hearing on Tuesday the Fourteen the day of December Two Thousand and Twenty One,, 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.P.THIRUMAHILMARAN FOR M/S.V.CHANDRASEKAR, Advocate for the Appellants and of M/S.RAGUVARAN GOPALAN FOR M/S.K.PRABHAKAR, Advocate for the respondent No.1 and none appeared for Respondent No.2, and having stood over for consideration till this day, this

and decree as follows:-



(1) That the Judgment and Decree in A.S.No.162 of 2000 on the file of II Additional District Court, Tiruchirapalli, dated 27.06.2001 be and hereby set aside is confirmed and the Second Appeal is Allowed.

(2) That the suit in O.S.No.5 of 1982 on the file of District Munsif Court, Tiruchirapalli, dated 28.04.2000 be and hereby is dismissed.

(3) that there be no costs in this Appeal.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Enclosed:- The copy of the Schedule of Property

TO

1. The II Additional District Judge, Tiruchirapalli.
2. The Disitict Munsif, Tiruchirapalli.

Copy to:

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

+1 CC to M/s.V.CHANDRASEKARAN, Advocate (SR-696 dated 07/01/2022)

ORDER DATED : 07/01/2022

=====

DECREE

=====

SA(MD). No.859 of 2005

Nature of Decree:-

Allowing this Second Appeal Preferred against the Judgement and Decree made in A.S.No.162 of 2000 on the file of the II Additional District Court, Tiruchirapalli dated 27.06.2001 reversing the judgement dismissing the suit filed in O.S.No.5 of 1982 on the file of the District Munsif Court, Tiruchirappalli dated 28.04.2000.