



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)
Friday, the Fourth day of March Two Thousand
and Twenty Two
PRESENT

WEB COPY

The Hon`ble Mr.Justice R.VIJAYAKUMAR

SA(MD)No.35 of 2022

1.JEYARAMAN
2.KALIMUTHU

... APPELLANTS/RESPONDENTS/PLAINTIFFS

Vs

THE EXECUTIVE OFFICER
SELECTION GRADE TOWN PANCHAYAT,
MANAMADURAI
SIVAGANGAI DISTRICT.

... RESPONDENT/APPELLANT/ DEFENDANT

Prayer :- Second Appeal is filed under Section 100 of C.P.C., against the Judgment and Decree dated 08.11.2021 in A.S.No.21 of 2020 on the file of the Subordinate Court, Manamadurai in reversing the Judgment and Decree dated 14.12.2018 made in O.S.No.26 of 2014 on the file of the Principal District Munsif Court, Manamadurai.

Decree:- This Second Appeal coming on for hearing on Second March Two Thousand and Twenty Two, upon perusing the Grounds of Appeal and the Judgment and Decree of the Lower Appellate Court and the Court of Instance and upon hearing the arguments of Mr.K.Govindarajan, for Mr.S.Ponsenthilkumaran, Advocate for the Appellants and of Mr.G.Sivaraja, Government Advocate for the Respondent, having stood over for consideration till this date, this with an obsevation that the width of the east west pathway shall be 10 feet Court doth order and decree as follows:-

i)that the Judgment and Decree dated 08.11.2021 made in A.S.No.21 of 2020 on the file of the Subordinate Judge, Manamadurai, be and hereby are set aside and the Judgment and Decree dated 14.12.2008 made in O.S.No.26 of 2014 on the file of the Principal District Munsif Court, Manamadurai, is restored and this Second Appeal is allowed;

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



TO

- 1.The Subordinate Judge,
Manamadurai.
- 2.The Principal District Munsif,
Manamadurai.

Copy to:

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

+ 3 CC to M/s.S.PONSENTHILKUMARAN, Advocate, SR.No.10654

+1 CC to M/s.Special Government Pleader, SR.No.10339

ORDER DATED : 04/03/2022

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DECREE

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SA(MD)No.35 of 2022

Nature of Decree:- Allowing the Second Appeal preferred against Judgment and Decree of the Subordinate Court, Manamadurai, passed in A.S.No.21 of 2020 dated 08.11.2021 and preferred against the Judgment and Decree of the Principal District Munsif, Manamadurai, passed in O.S.No.26 of 2014 dated 14.12.2018 etc., as stated within.

KB(23.03.2022) 2P 9C