



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(CIVIL APPELLATE JURISDICTION)

THURSDAY, THE THIRTY FIRST DAY OF MARCH TWO THOUSAND TWENTY TWO

PRESENT

THE HON`BLE MS.JUSTICE R.N.MANJULA

AS (MD) . NO.285 OF 2021

T.Rajeshwari

... Appellant/Defendant

Vs

Dharmar

... Respondent/Plaintiff

Prayer:-

Appeal filed under Section 96 of C.P.C., against the judgment and decree of the Additional District Judge, Ramanathapuram, dated 14.10.2019 made in Original Suit No.51 of 2017.

DECREE:-

This Appeal Suit coming on for hearing on Wednesday, the Second day of March, Two Thousand and Twenty Two, upon perusing the Grounds of Appeal, the judgments and decrees of the Trial Court and the material papers in the Original Suit and upon hearing the arguments of Mr.S.SANKAR, Advocate for the Appellant and of Mr.M.THIRUNAVUKKARASU, Advocate for the Respondent and having stood over for consideration till this date, this Court, while modifying the Judgment and decree of the Original Suit and allowing the Appeal Suit in part, doth order and decree as follows:-

(1) That, the interest shall be payable at the rate of 9% per annum from the date of executing the mortgage till the date of filing of the suit (*) and these after interest at 6% per annum from the dte of filing of the suit till the date of realization.



AS(MD)



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and thereafter from the date of decree till the date of realization, interest shall be payable at the rate of 6% and

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

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Sd/-

Assistant Registrar (CS-III)

(*)Corrected as per order of this Court dated.30/03/2023 made in As (MD) 285/2021.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/04/2023

Sub Assistant Registrar (CS)

Vji

(*)To be substituted to the order already dispatched on 08/06/2022

To

The Additional District Judge,
Ramanathapuram.

Copy to:

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

+ CC to Mr.G.MURUGENDRAN, Advocate (SR-16118/22)

+1 CC to Mr.M.THIRUNAVUKKARASU, Advocate (SR-15917/2022)



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ORDER DATED : 31/03/2022

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DECREE

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AS(MD) . No.285 of 2021

Nature of Decree:- Allowing the Appeal Suit in part preferred against the Judgment and Decree of the Additional District Judge, Ramanathapuram, dated 14.10.2019 made in Original Suit No.51 of 2017 and etc., as stated within.

SVS (CO)

GC (07.06.2022) 3P 6C

SI (19.04.2023) 3P 6C