



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Wednesday, the Sixteenth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Mr.Justice R. VIJAYAKUMAR

SA(MD) . No.407 of 2021

D.ANANDAKUMAR ... Appellant/Respondent/Defendant

Vs

1 D.SELVAKUMAR ... Respondent/Appellant/Plaintiff

Prayer:-Second Appeal filed under Section 100 of C.P.C., against the judgment and decree of the II Additional District and Sessions Judge, Thanjavur, dated 26.02.2021 made in A.S.No.10 of 2019, reversing the judgment and decree of the Additional Subordinate Judge, Thanjavur, dated 06.08.2018 made in O.S.No.195 of 2012.

DECREE: This Second Appeal coming on for hearing on Tuesday, the fifteenth day of March, Two Thousand and Twenty Two, upon perusing the Grounds of Appeal, the Judgment and Decree of the of the Lower Appellate Court and the court of first instance and the material papers to this Appeal and upon hearing the arguments of Mr.A.Sivasubramanian, Advocate for the Appellant, and of M/s.A.L.Ganthimathi Advocate for the Respondent and this matter having stood over for consideration till this day, this court, while allowing this Appeal, doth order and decree as follows:

(1)That, the judgment and decree of the II Additional District and Sessions Judge, Thanjavur, dated 26.02.2021 made in A.S.No.10 of 2019, be and hereby is set aside.

(2) that the judgment and decree of the Additional Subordinate Judge, Thanjavur, dated 06.08.2018 made in O.S.No.195 of 2012 be and hereby is restored and this Second Appeal is allowed.

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

Sd/-

Assistant Registrar (Cs-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



TO

1.The II Additional District and Sessions Judge,
Thanjavur.

2.The Additional Subordinate Judge,
Thanjavur

Copy to:

The Section Officer,
V.R. Section,

Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to M/s.A.SIVASUBRAMANIAN, Advocate (SR-12423 /2022)

ORDER DATED : 16/03/2022

=====

DECREE

=====

SA(MD) . No.407 of 2021

Nature of Decree:- Allowing the Second Appeal preferred against to set aside the Judgment and decree dated 20.02.2012 passed in A.S. No.10 of 2019 on the file Learned the II Additional District Judge Thanjavur reversing the Judgment and decree dated 06.08.2018 passed in O.S. No.195 of 2012 on the file of the Additional Subordinate Judge, Thanjavur and etc., as stated within.

KB(29.03.2022) 2P 6C