



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Wednesday, the Fifteenth day of June Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice R.VIJAYAKUMAR

SA(MD) . No.124 of 2019

SAMSUDEEN

... Appellant/Appellant/1st Defendant

Vs

1 V.A.SALMAN

... 1st Respondent/ 1st Respondent/ Plaintiff

2 TURN HAQDAR,

V.S.T.THAMUS THASEEN THARAKANAR,
HEEMPALLI MADRASA, HAMEEMPALLI STREET,
MELAPALAYAM, TIRUNELVELI-627 005.

... 2nd Respondent/ 2nd Respondent/2nd Defendant

Prayer:-

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree dated 25.02.2019 made in A.S. No. 111 of 2018 on the file of the Principal Subordinate Court, Tirunelveli, confirming the judgment and decree dated 14.11.2018 made in O.S. No. 333 of 2013 on the file of the Principal District Munsif Court, Tirunelveli by allowing the Second Appeal.

DECREE:-

This Second Appeal coming on for hearing on Wednesday the Ninth day of March Two Thousand and Twenty Two, 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 MR. S.VASHIK ALI FOR MR. D. NALLATHAMBI, Advocate for the Appellant and of MR. S. SAJI BINO, Advocate for the 1st respondent, the 2nd respondent has not been appear either in person or by an Advocate, having stood over for consideration till this date, this Court doth order and decree as follows:-

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(1) That the Judgment and Decree of the Courts below be and hereby are set aside and this Second Appeal is Allowed.

(2) That the Suit in O.S. No. 333 of 2013 on the file of the Principal District Munsif Court, Tirunelveli be and hereby is dismissed; and



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

Sd/-

Assistant Registrar (CS I)

// True Copy //

WEB COPY

/06/2022

Sub Assistant Registrar(CS)

ENCL: Xeroc of Schedule of the property
(Vide attached Separate sheet)

To

1. The Principal Subordinate Judge, Tirunelveli.

2. The Principal District Munsif, Tirunelveli

Copy to:

The Section Officer,

V.R. Section,

Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to M/s.D. NALLATHAMBI, Advocate (SR-26163 dated 16/06/2022)

+1 CC to M/s.S. SAJI BINO, Advocate (SR-26331 dated 17/06/2022)

ORDER DATED : 15/06/2022

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DECREE

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SA(MD). No.124 of 2019
Nature of Decree:- Allowing the
Second Appeal preferred against the
judgment and decree dated 25.02.2019
made in A.S. No. 111 of 2018 on the
file of the Principal Subordinate
Court, Tirunelveli, confirming the
judgment and decree dated 14.11.2018
made in O.S. No. 333 of 2013 on the
file of the Principal District Munsif
Court, Tirunelveli and etc., as
stated within.