



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(Civil Appellate Jurisdiction)
Tuesday, the First day of March Two Thousand Twenty Two
PRESENT
The Hon`ble Mr.Justice R. VIJAYAKUMAR
S.A.(MD)No.422 of 2019

WEB COPY

K. Ramakrishnan

Appellant/Respondent /Defendant

Vs

P. Kandasamy

Respondent/Appellant /Plaintiff

Prayer:- Second Appeal filed under Section 100 of C.P.C., against the judgment and decree dated 26.10.2018 made in A.S. No.47 of 2018 on the file of the VI Additional District Court, Madurai modifying the judgment and decree dated 23.06.2017 made in O.S. No.713 of 2015 on the file of the Principal Subordinate Court, Madurai.

DECREE:- This Second Appeal coming on for hearing on Thursday, the Twenty fourth day of February Two Thousand Twenty and 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. M. Saravanan, Advocate for Mr. R. Subramanian, Advocate for the Appellant and Mr. Babu Rajendran, Advocate for Mr. R. Murugesan, Advocate for the respondent; this Court having stood over for consideration till this date; while allowing this Appeal doth order and decree as follows:-

- (1) That the judgment and decree dated 26.10.2018 made in A.S. No.47 of 2018 on the file of the VI Additional District Court, Madurai be and hereby is set aside;
- (2) That the judgment and decree dated 23.06.2017 made in O.S. No.713 of 2015 on the file of the Principal Subordinate Court, Madurai be and hereby is restored; and
- (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 VI Additional District Judge, Madurai.
2. The Principal Subordinate Judge, Madurai.

Copy to:

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

+1CC to Mr. Babu Rajendran, Advocate in Sr. No.9494.
+1CC to Mr. R. Subramanian, Advocate in Sr. No.9398.

ORDER DATED 01.03.2022

DECREE

S.A.(MD) No.422 of 2019

Allowing the Second Appeal in part preferred against the judgment and decree dated 26.10.2018 made in A.S. No.47 of 2018 on the file of the VI Additional District Court, Madurai modifying the judgment and decree dated 23.06.2017 made in O.S. No.713 of 2015 on the file of the Principal Subordinate Court, Madurai etc., as stated within.

RD(10.03.2022) 2P 7C