



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(Civil Appellate Jurisdiction)

Tuesday, the Twenty Sixth day of April Two Thousand Twenty Two

PRESENT

The Hon'ble Ms.Justice R.N.MANJULA

AS (MD) . No.196 of 2016

SIVAKAMASUNDARI

... Appellant/ 1st Defendant

Vs

1 T.S.MUTHUKRISHNAN

2 THANGARAJ

3 PARVATHINAATHAN

4 PARAMESWARI

... Repondents 1 to 4 / Plaintiffs

5 MURUGESAN

... 5th Respondent / 2nd Defendant

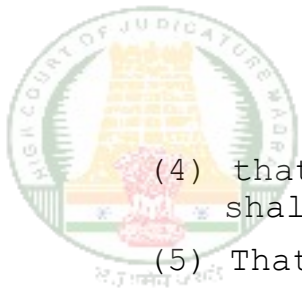
Prayer :-

This Appeal Suit is filed under Section 96 r/w Order 41 Rules 1 of C.P.C. Against the judgment and decree passed in O.S.No.28 of 2013 on the file of the II Additional District Court, Tuticorin dated 07.10.2016.

Decree:-

This Appeal Suit is coming on for hearing on this day, upon perusing the grounds of Appeal, the judgment and decree of the Trial Court and the material papers in the Suit and upon hearing the arguments of MR.A.ARUMUGAM for M/s. AJMAL ASSOCIATES, Advocate for the Appellant and of MR.S.KADARKARAI, Advocate for the Respondents, this Court while allowing the appeal suit, doth order and decree as follows:

- (1) That the judgment and decree of the Ii Additional District Judge, Tuticorin, dated 07.10.2016, in O.S.No.28 of 2013 be and hereby is modified
- (2) that the Plaintiffs 1 to 3 be and hereby are entitled to get 4/6 share in all the suit properties except items 2 and 3 in first schedule
- (3)that the fourth plaintiff be and hereby is entitled to get half share in item Nos. 2 and 3 in first schedule of property; and



(4) that in all other respects, the judgment of the trial court shall stand unaltered; And

(5) That there be no costs in this Appeal Suit;

WEB COPY

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ENCL: Schedule of Property

TO

The II Additional District Judge, Tuticorin

Copy to:

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

+1 CC to M/s.S. KADARKARAI, Advocate (SR-21674 dated 27/04/2022)

ORDER DATED : 26/04/2022

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DECREE

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AS(MD). No.196 of 2016

Allowing the AS(MD). No.196 of 2016 preferred against judgment and decree passed in O.S.No.28 of 2013 on the file of the II Additional District Court, Tuticorin dated 07.10.2016etc. as stated within.

SS(16/06/2022) 2P 5C