



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

Thursday, the Twenty Fourth day of February Two Thousand Twenty Two
PRESENT

The Hon`ble Mr.Justice R. VIJAYAKUMAR

WEB COPY

SA(MD) . No.678 of 2021

P.Chinnadurai

... Appellant/Respondent/
Plaintiff

Vs

T.Subbuthai

... Respondent/Appellant/
Defendant

Prayer:- Second Appeal filed under Section 100 of C.P.C., against the Judgment and Decree of the Sub Court, Tiruchendur, dated 26.02.2021 made in Appeal Suit No.236 of 2017, reversing the Judgment and Decree of the court of the District Munsif, Srivaikundam made in Original Suit No. 87 of 2012 dated 23.01.2015.

DECREE:- This Second Appeal coming on for hearing on Friday, the Eighteenth day of February, 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.V.MEENAKSHI SUNDARAM FOR MR.S.VASHIK ALI, Advocate for the Appellant and Respondent not appeared either in person or by an advocate having stood over for consideration, While allow this Second appeal this Court doth order and decree as follows:-

(1) That the Judgment and Decree of the 1st Appellate Court Viz. the Sub Court, Tiruchendur, dated 26.02.2021 made in Appeal Suit No.236 of 2017 be and hereby are set aside and this appeal is allowed;

(2) that, the Judgment and Decree of the court of the District Munsif, Srivaikundam made in Original Suit No. 87 of 2012 dated 23.01.2015 be and hereby are restored and

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

Sd/-

Assistant Registrar (C.S.II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



To

1. The Sub Judge,
Thiruchendur.
2. The District Munsif Court,
Srivaikundam.
3. The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+1 cc to Mr.S.VASHIK ALI, Advocate, SR.No.8514 dt.24/02/2022

+1 cc to Mr.D.NALLATHAMBI, Advocate, SR.No.8805 dt.25/02/2022

ORDER DATED : 24/02/2022

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DECREE

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SA(MD). No.678 of 2021

Nature of Decree:- Allowing the Second Appeal preferred against the Judgment and Decree of the Sub Court, Tiruchendur, dated 26.02.2021 made in Appeal Suit No.236 of 2017, reversing the Judgment and Decree of the court of the District Munsif Court, Srivaikundam made in Original Suit No. 87 of 2012 dated 23.01.2015 and etc., as stated within.

SA(15.03.2022) 2P 7C