



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(Civil Appellate Jurisdiction)
Tuesday, the Seventh day of June Two Thousand Twenty Two
PRESENT**

**The Hon`ble Mrs.Justice R.THARANI
SA(MD) . No.673 of 2015**

WEB COPY

PONNUTHAI
THROUGH HER POWER AGENT D. RANI,

... Appellant/Appellant/Plaintiff

Vs

1 MUTHUKARUPPAN

2 RATHINAVELU

... Respondents/Respondents/Defendants

Prayer:-

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree of the Subordinate Judge, Ramanathapuram, dated 19.08.2015 made in A.S.No.7 of 2009, confirming the judgment and decree of the Pricipal District Munsif Court, Rameswaram, dated 15.12.2006 made in O.S.No.11 of 2005.

DECREE:-

This Second Appeal coming on for hearing on Monday, the Fourteenth 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.PT.S.Narendra vasan Advocate for the Appeallant and of Mr.S.Srinivasa Raghavan Advocate for the Respondents, and having stood over for consideration till this day and this court, while Allowing the Appeal in Part, doth order and decree as follows:

(i)That the judgment and decree dated 19.08.2015 made in A.S.No.7 of 2009 on the file of the Subordiante Judge, Ramanathapuram, confirming the judgment and decree dated 15.12.2006 made in O.S.No.11 of 2005 on the file of the District Munisf Court, Rameswaram be and hereby are setaside

(ii)That the suit is Partly decreed; declaring that the plaintiff is entitled for 22 cents in Survey NO.326/4, Meyyampuli Village, Rameswaram, Ramanathapuram District;

(ii)that the defendants be and hereby are restrained from disturbing the peaceful possession and enjoyment of the plaintiff with an extent of 22 cents in the suit property; and



(iii) That there be no order as to costs in this Second Appeal.

Sd/-

Assistant Registrar ()

// True Copy //

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/ /2022

Sub Assistant Registrar(CS)

Enclosed herewith Copy of the Schedule of Property

TO

1. The Subordinate Judge,
Ramanathapuram.

2. The District Munsif,
Rameswaram

Copy to:

The Section Officer,
V.R. Section,

Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to Mr.PT.S.NARENDRAVASAN, Advocate (SR-24363/2022)

+1 CC to Mr.S.SRINIVASA RAGHAVAN, Advocate (SR-24491 /2022)

ORDER DATED:08/06/2022

DECREE

S.A. (MD) No.673 of 2015

While Partly Allowing this Second Appeal preferred as against the Judgment and Decree dated 19/08/2015 made in Appeal Suit No.7 of 2009 on the file of the Subordinate Judge, Ramanathapuram and Confirming the judgment and decree of the District Munsif Court, Rameswaram, dated 15.12.2006 made in O.S.No.11 of 2005 etc., as stated within.

RD(20.06.2022) 2P 7C