



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

Thursday, the Twenty Eighth day of April,
Two Thousand and Twenty Two

WEB COPY

PRESENT

The Honourable Ms.Justice R.N.MANJULA

AS(MD). No.175 of 2017

1. M.MALARKODI (DIED)
2. KALIYAMOORTHY
3. PADMA
4. MURALI
5. KOWSALYA ... Appellants 2 to 5/Legal Heirs of the
deceased first Appellant

(A2 to A5 are brought on record as legal heirs of
the deceased sole appellant vide Court order dated
04.11.2020 made in C.M.P. (MD) No. 3524 and 3525
of 2018 in A.S. (MD) No. 175 of 2017)

Vs.

K.BASKARAN ... Respondent/Defendant

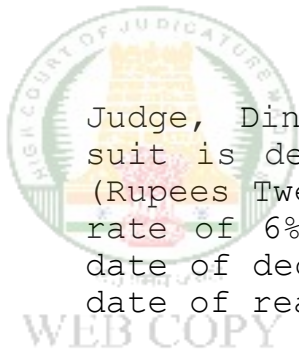
Prayer :-

Appeal Suit filed under Section 96 of Code of Civil Procedure,
1908 preferred against the judgment and decree of the Additional
District and Sessions Judge, Dindigul dated 27.08.2012 in O.S. No.76
of 2010.

DECREE:

This Appeal Suit came up for final hearing on this day, upon
perusing the Memorandum of Grounds of Appeal, the judgment and
decree of the Lower Court, upon perusing the material papers
available to the case, and upon hearing the arguments of Mr.T.Selvan
for M/s C.Mayilvahana Rajendran, Advocate for the Appellants, and of
Mr.P.Krishnasamy, Advocate for the Respondent herein, this court
while disposing of the Appeal Suit by modification, doth order and
decree as follows:

1. That the judgment and decree dated 27.08.2012 made in O.S.
No.76 of 2010 be set aside and the file of the Additional District and Sessions



Judge, Dindigul be and is hereby modified to the effect that the suit is decreed in respect of the refund of sum of Rs.12,00,000/- (Rupees Twelve Lakhs only) to the Plaintiff, with an interest at the rate of 6% per annum from the date of filing of the suit till the date of decree and at the same rate from the date of decree till the date of realization.

2. And that there be no costs in this Appeal Suit.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO

The Additional District and Sessions Judge,
Dindigul.

Copy to:

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

+1 CC to M/s.C.MAYIL VAHANA RAJENDRAN, Advocate, Copy Application SR No.22193 dated 28/04/2022.

ORDER DATED : 28/04/2022

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DECREE

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AS(MD). No.175 of 2017

Nature of the Decree: Disposing of the Appeal suit preferred against judgment and decree of the Additional District and Sessions Judge, Dindigul dated 27.08.2012 in O.S. No.76 of 2010 and giving directions etc. as stated therein.

RK(08/06/2022) 2P 5C