



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



Friday, the Sixth day of January Two Thousand Twenty Three

PRESENT

The Hon`ble Mr.Justice N.SESHASAYEE

SA(MD) . No.459 of 2008

1 RAMASAMY SANAIAR ... Appellant / Respondent /
Plaintiff

.Vs.

1 SWAMINATHAN

2 RAJALINGAM

3 GANESAN

4 RENGASAMY

5 THANGARAJU ... Respondents / Appellants /
Defendants

Prayer:-

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree dated 19.06.2007 made in A.S. No.87 of 2005 on the file of the Principal District Court, Pudukottai reversing the Judgment and Decree dated 31.01.2005 in O.S. No.69 of 2000 on the file of the Additional District Munsif, Pudukottai.

DECREE:-

This Second Appeal coming on for hearing on Thursday, the Eighth day of December 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 N.BALAKRISHNAN, Advocate for the Appellant and of Mr.N.A.PALANIYANDI, Advocate for the respondents 1 to 3 and the Respondents 4 & 5 not appearing in person or by Advocate and having stood over for consideration till this date, this Court while allowing the Second Appeal doth order and decree as follows:-

(1) That the Judgment and Decree dated 19.06.2007 made in A.S. No.87 of 2005 on the file of the Principal District Court, Pudukottai be and hereby is set aside and the Suit in O.S. No.69 of 2000 on the



file of Additional District Munsif, Pudukottai be and h is confirmed.



(2) That there be no costs in this Appeal.

Sd/-

Assistant Registrar(CS-II)

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// True Copy //

/02/2023

Sub Assistant Registrar(CS)

To

- 1) The Principal District Judge, Pudukottai
- 2) The Additional District Munsif, Pudukkottai

Copy to:

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

+1 CC to M/s.N.BALAKRISHNAN, Advocate (SR-1906 dated 10/01/2023)

+1 CC to M/s.NA.PALANIYANDI, Advocate (SR-1245 dated 06/01/2023)

ORDER DATED : 06/01/2023

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DECREE

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SA(MD) . No.459 of 2008

Nature of Decree:- Allowing the Second Appeal preferred against the judgment and decree dated 19.06.2007 passed in A.S. No.87 of 2005 by the Principal District Court, Pudukottai reversing the Judgement and Decree dated 31.01.2005 passed in O.S. No.69 of 2000 on the file of the Additional District Munsif, Pudukottai etc., as stated within.

SI(20.02.2023) 2P 7C