



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.565 of 2011

- 1 S.K.KANDASAMY NADAR (DIED) ... 1st Appellant / Appellant / Plaintiff
- 2 K.BAGYALAKSHMI
- 3 K.BALAGURUPANDIAN
- 4 B.PADMAVATHY
- 5 K.JEYACHITRA
- 6 J.MALATHI ... Appellants 2 to 6 / LRs of the deceased sole appellant
(APPELLANTS 2 TO 6 BROUGHT ON RECORD AS LRS OF DECEASED SOLE APPELLANT VIDE ORDER DT.14.3.16 MADE IN MP.1/13 IN SA.565/11 BY RMDJ) ..

.Vs.

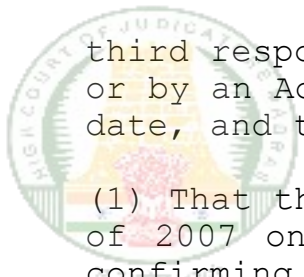
- 1 S.K.MURUGESA NADAR
- 2 R.KUMARAVEL ... 1st & 2nd Respondents / Respondents / Defendants
- 3 M.BASHEER AHAMED,
(R3-Impleaded vide order dt.07.07.2022
CMP(MD) No.3263 of 2019) ... 3rd Respondent

Prayer:-

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree dated 24.04.2009 made in A.S. No.57 of 2007 on the file of the Principal Subordinate Court, Thanjavur confirming the Judgment and Decree dated 25.04.2007 made in O.S. No.254 of 2005 on the file of the District Munsif, Thanjavur.

DECREE:-

This Second Appeal coming on for hearing on Tuesday, the Eighth day of November 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 Mrs.N.KRISHNAVENI, SENIOR COUNSEL assisted by Mr.VR.SHANMUGANATHAN, Advocate for the Appellants and of Mr.K.GOVINDARAJAN, Advocate for first respondent, and Mr.A.ARUMUGAM for M/s.Ajmal Associates for



third respondent and second respondent not appeared either on or by an Advocate, and having stood over for consideration is date, and this Court doth order and decree as follows:-

(1) That the judgment and decree dated 24.04.2009 made in A.S. No.57 of 2007 on the file of the Principal Subordinate Court, Thanjavur confirming the Judgment and Decree dated 25.04.2007 made in O.S. No.254 of 2005 on the file of the District Munsif, Thanjavur be and is hereby confirmed and the Second Appeal is dismissed.

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

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/02/2023

Sub Assistant Registrar(CS)

ABR

To

1) The Principal Subordinate Judge, Thanjavur

2) The District Munsif, Thanjavur.

Copy to:

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

+1 CC to M/s.VR.SHANMUGANATHAN, Advocate (SR-1644 dated 09/01/2023)

+1 CC to M/s.K.GOVINDARAJAN, Advocate (SR-1546 dated 09/01/2023)

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-1532 dated 09/01/2023)



WEB COPY



ORDER DATED : 06/01, 2023

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DECREE

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SA(MD) . No.565 of 2011

Nature of Decree:- Dismissing the Second Appeal preferred against the judgment and decree dated 24.04.2009 passed in A.S. No.57 of 2007 on the file of the Principal Subordinate Court, Thanjavur confirming the Judgement and Decree dated 25.04.2007 passed in O.S. No.254 of 2005 on the file of the District Munsif, Thanjavur, etc., as stated within.

SI (22.02.2023) 3P/ 8C