



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Monday, the Sixth day of February Two Thousand Twenty Three

PRESENT

The Hon`ble Mr.Justice S.SOUNTHAR

SA(MD) . No.755 of 2011

1 C.RAJU @ ALAGARSAMY ... Appellant / Appellant / Plaintiff

-Vs-

RASU THEVAR (DIED)

1 . THANGAIAH

2 . MAYANDI (DIED)

3 . RAJAMANI (Set Exparte in A.S.)

4 . THE SUB - REGISTRAR.

OFFICE OF THE SUB REGISTRAR, N.R.T. NAGAR.
MAIN ROAD, THENI DIST.

5 . KAVITHA,

6 . MADANKUMAR,

7 . MANISHA,

8 . SHANMUGAM,

(Respondents 5 to 8 are brought on record as L.Rs. Of the deceased Second Respondent as per order of this Court made in C.M.P (MD).Nos.635 to 637 of 2023 in S.A.(MD)No.755 of 2011, dated 23.01.2023) .

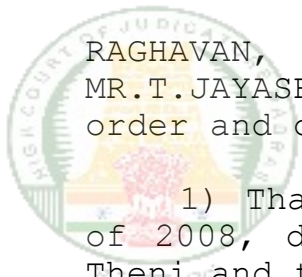
... Respondents / Respondents / Defendants

Prayer:-

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree made in A.S.No.136 of 2008, dated. 15.11.2010, on the file of Subordinate Judge, Theni confirming the judgment and decree made in O.S.No.168 of 2006, dated. 28.03.2007, on the file of the District Munsif, Theni.

DECREE:-

This Second Appeal coming on for hearing on this date, 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.A.SARAVANAN, Advocate for the Appellant and of MR.S.SRINIVASA



RAGHAVAN, Advocate for the Respondents 1,3,5 to 8 of
MR.T.JAYASELAN, GOVT.ADVOCATE, for the Respondent 4, this Court with
order and decree as follows:-



1) That the concurrent judgment and decree made in A.S.No.136 of 2008, dated. 15.11.2010, on the file of the Subordinate Judge, Theni and the judgment and decree made in O.S.No.168 of 2006, dated. 28.03.2007, on the file of the District Munsif, Theni passed by the Courts below be and hereby are confirmed and this appeal is dismissed; and

2) That there be no costs in this Appeal.

Sd/-

Assistant Registrar(C.O)

// True Copy //

/02/2023

Sub Assistant Registrar(CS)

VSN

Encl: Xerox copy of Schedule of property.

TO

1. The Subordinate Judge, Theni
2. The District Munsif, Theni.
3. THE SUB - REGISTRAR.
OFFICE OF THE SUB REGISTRAR, N.R.T. NAGAR.
MAIN ROAD, THENI DIST.

Copy to:

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

+1 CC to M/s.A.SARAVANAN, Advocate (SR-6915 dated 08/02/2023)

+1 CC to M/s.S.SRINIVASA RAGHAVAN, Advocate (SR-6979 dated 08/02/2023)

+1 CC to M/s.SPL.GP (SR-6954 dated 08/02/2023)



WEB COPY



ORDER DATED : 06/02/2023

+ Judgment

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DECREE

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SA(MD) . No.755 of 2011

Nature of Decree:- Dismissing the Second Appeal preferred against the the judgment and decree made in A.S.No.136 of 2008, dated. 15.11.2010, on the file of Subordinate Judge, Theni confirming the judgment and decree made in O.S.No.168 of 2006, dated. 28.03.2007, on the file of the District Munsif, Theni. etc., as stated within.

SI (22.02.2023) 3P/ 9C