



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

Wednesday, the Twenty Fifth day of January Two Thousand Twenty
Three

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PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

AS(MD) . No.138 of 2014

K.Palaniappan ... Appellant / Plaintiff

... Vs...

1.Dhanalakshmi

2. Ramabiran

3. Mugundan .

4. Santhalakshmi

5. Gokilavaani .

6. Vijayalakshmi ... Respondents / Defendants

Prayer:-

Appeal Suit filed under Section 96 of the C.P.C., against the judgment and decree passed in O.S. No.16 of 2013 dated 15.04.2014 on the file of the Additional District Judge, Virudhunagar.

DECREE:-

This Appeal Suit coming on for hearing on Thursday, the Tenth day of November Two thousand and twenty two, upon perusing the grounds of Appeal, the judgment and decree of the Lower Court of First Instance and the material papers in the Suit and upon hearing the arguments of Mr.A.Arumugam, Advocate for the Appellant and of Mr.P.Aathimoola Pandian, Advocate for the respondents, and having stood over for consideration till this date, this Court while allowing the Appeal doth order and decree as follows:-

(1) That the order passed in I.A. No.73 of 2013 in O.S. No.16 of 2013 and the consequent judgment and decree passed in O.S. No.16 of 2013 dated 15.04.2014 on the file of the Additional District Judge, Virudhuangar be and hereby is setaside.

(2) That the trial court is directed to frame the issues if not already framed, proceed with the trial and dispose of the suit as possible, preferably within a period of three months from the date of copy of this judgment.



(3) That there be no order as to cost in this Appeal Suit.

Sd/-

Assistant Registrar(CS-II)

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/02/2023

Sub Assistant Registrar(CS)

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To

1.Additional District Court, Virudhunagar.

2.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai. (2 COPIES)

+2 CC to M/s.K.MUTHUMALAI, Advocate (SR-4247[F] dated 27/01/2023)

+1 CC to M/s.P.ATHIMOOLAPANDIAN, Advocate (SR-4325[F] dated 27/01/2023)

ORDER DATED : 25/01/2023

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D E C R E E

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AS(MD) No.138 of 2014

Nature of Decree : Allowing the Appeal Suits to set aside the judgment and decree passed in O.S. No.16 of 2013 on the file of the Additional District Judge, Virudhunagar and etc., as stated within

SI(17.02.2023) 2P 7C