



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.804 of 2014

1 V.RAMAN ... Appellant / Appellant /
Plaintiff

Vs

1 PARUKKI NACHAN,

2 AZHAGAMMAL,

Nachammal (Died)

3 PITCHAN,

4 AZHAGAR,

5 PARVATHI,

6 CHINNAMMAL,

7 THANGAIAH,

8 PANCHU, ... Respondents / Respondents /
Defendants

Prayer:-

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree dated 19.09.2013 made in A.S. No.70 of 2012 on the file of the Additional Subordinate Court, Dindigul confirming the Judgment and Decree dated 28.06.2012 made in O.S. No.166 of 2006 on the file of the District Munsif-cum-Judicial Magistrate, Natham.

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 Mr.H.LAKSHMI SHANKAR, Advocate for the Appellant and of Mr.S.SARVANGAN PRABHU, Advocate for the first, second, third and fifth respondents and fourth respondent and six to eight respondents not appeared either in person or by an Advocate, and having stood over for consideration till this date, this Court doth order and decree as follows:-



1) That the Judgment and Decree dated 28.06.2012 made in O.S. No.166 of 2006 on the file of the District Munsif-cum-Judicial Magistrate, Natham is decreed and the Second Appeal is allowed.

2) That there be no costs in this Appeal.

WEB COPY

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/03/2023

Sub Assistant Registrar(CS)

ABR

To

1) The Additional Subordinate Judge, Dindigul

2) The District Munsif-cum-Judicial Magistrate, Natham

Copy to:

The Section Officer,
V.R. Section,

Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to M/s.H.LAKSHMI SHANKAR, Advocate (SR-1355 dated 09/01/2023)

+1 CC to M/s.S.SARVAGAN PRABHU, Advocate (SR-1240 dated 06/01/2023)

ORDER DATED : 06/01/2023

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DECREE

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SA(MD). No.804 of 2014

Nature of Decree:- Allowing the Second Appeal preferred against the judgment and decree dated 19.09.2013 passed in A.S. No.70 of 2012 by the Additional Subordinate Judge, Dindigul confirming the Judgment and Decree dated 28.06.2012 passed in O.S. No.166 of 2006 on the file of the District Munsif-cum-Judicial Magistrate, Natham etc., as stated within.



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

Friday, the Sixth day of January Two Thousand Twenty Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice N.SESHASAYEE

SA(MD) . No.695 of 2014

V.RAMAN

... Appellant / Appellant /
Defendant

.Vs.

1) AZHAGAMMAL

NACHAMMAL (DIED)

2) NACHAN @ PARAKKI NACHAN, ,

3 PITCHAN

4 AZHAGAN

5 PARVATHI

6 CHINNAMMAL

7 THANGAIAH

8 PANCHU

... Respondents / Respondents / Plaintiffs

Prayer:-

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree dated 19.09.2013 made in A.S. No.72 of 2012 on the file of the Additional Subordinate Court, Dindigul confirming the Judgment and Decree dated 28.06.2012 made in O.S. No.168 of 2006 on the file of the District Munsif-cum-Judicial Magistrate, Natham.

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 Mr.H.LAKSHMI SHANKAR, Advocate for the Appellant and of Mr.S.SARVANGAN PRABHU, Advocate for the second and fourth respondent first, third fifth to eighth respondents not appeared either in person or by an Advocate, and having stood over for consideration till this date, this court doth order and decree as follows:-



1) That the Judgment and Decree dated 28.06.2012 made in O.S. No.168 of 2006 on the file of the District Munsif-cum-Judicial Magistrate, Natham is reversed and the Second Appeal is allowed.

2) That there be no costs in this Appeal.

Sd/-

Assistant Registrar(CS-III)

WEB COPY

// True Copy //

/03/2023

Sub Assistant Registrar(CS)

ABR

To

1) The Additional Subordinate Judge, Dindigul

2) The District Munsif-cum-Judicial Magistrate, Natham

Copy to:

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

+1 CC to M/s.H.LAKSHMI SHANKAR, Advocate (SR-1354 dated 09/01/2023)

+1 CC to M/s.S.SARVAGAN PRABHU, Advocate (SR-1239 dated 06/01/2023)

ORDER DATED : 06/01/2023

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DECREE

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SA(MD). No.695 of 2014

Nature of Decree:- Allowing the Second Appeal preferred against the judgment and decree dated 19.09.2013 passed in A.S. No.70 of 2012 by the Additional Subordinate Judge, Dindigul confirming the Judgment and Decree dated 28.06.2012 passed in O.S. No.166 of 2006 on the file of the District Munsif-cum-Judicial Magistrate, Natham etc., as stated within.