



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Thursday, the Nineteenth day of January Two Thousand and Twenty Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice S.SOUNTHAR

SA. No.1081 of 1999

PAVAZHAKODI

... Appellant/1st Appellant/1st Defendant

Vs

1 RAJAGOPAL

... 1st Respondent/1st Respondent/Plaintiff

2 KAITHOON BEEVI

(2ND APPELLANT IS TRANSPOSED AS 2ND RESPONDENT VIDE COURT ORDER DATED 27.01.2022 made in CMP(MD).No. 10602 of 2021)

... 2nd Respondent/2nd Appellant/2nd Defendant

3 THE THASILDAR

ALANGUDI TALUK.

(R3 IS IMPEADED VIDE COURT ORDER DATED 24.03.21 MADE IN SA.NO.1081/99)

... 3rd Respondent

Prayer:-

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree dated 27.07.1998 passed in A.S.No.140/1997 on the file of the Sub Judge at Pudukottai, confirming the Judgment and decree dated 28.06.1996 passed in O.S.No.465/1993 on the file of the District Munsif, Aranthangi.

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. K.BAALASUNDHARAM, Advocate for the Appellant and the respondents are not appeared either in person or by an Advocate, this Court doth order and decree as follows:-

(1) That the judgment and decree dated 27.07.1998 passed in A.S.No.140/1997 on the file of the Sub Judge at Pudukottai, confirming the Judgment and decree dated 28.06.1996 passed in O.S.No.465/1993 on the file of the District Munsif, Aranthangi be and hereby are Set aside and this Second Appeal is Allowed;



(2) That the suits stand dismissed in its entirety and

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

Schedule of Property

Pudukkottai District, Alangudi Taluk, Inam Karambaku Village, S.No.87/2 Extent 1.01.0 Hectares within the following boundaries, North S.No. 87/1, land under Vinobagi Scheme. East S.NO. 87/3 Plaintiff, South Sivasubramanian, West Road.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/02/2023

Sub Assistant Registrar(CS)

PKN

To

1. The Sub Judge at Pudukottai.
2. The District Munsif, Aranthangi.

Copy to:

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

+1 CC to M/s.K.BAALASUNDHARAM, Advocate (SR-2999 dated 20/01/2023)

ORDER DATED : 19/01/2023

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DECREE

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SA. No.1081 of 1999

Nature of Decree:- Dismissing the Second Appeal preferred against the judgment and decree dated 27.07.1998 passed in A.S.No.140/1997 on the file of the Sub Judge at Pudukottai, confirming the Judgment and decree dated 28.06.1996 passed in O.S.No.465/1993 on the file of the District Munsif, Aranthangi and etc., as stated within.

SI (20.02.2023) 2P 6C

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