



WEB COPY



S.A.(MD).No.24 of 2024

THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.03.2024

CORAM:

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

S.A.(MD).No.24 of 2024
and
C.M.P.(MD)No.677 of 2024

1.B.Lalitha
2.B.Preethi
3.B.Krithick

... Appellants

/Vs./

1.D.Kandeepan
2.C.Andavarsamy

...Respondents

PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code against the judgment and decree passed by the Additional District and Sessions Judge, Periyakulam, Theni District, made in A.S.No.5 of 2023, dated 28.08.2023, confirmed the judgment and decree passed by the Sub Court, Periyakulam, Theni District, made in O.S.No.105 of 2019, dated 23.12.2022.

For Appellants : Mr.K.Prabakaran
for K.P.S.Law Associates
For R1 : Mr.T.Wins
For R2 : No appearance

JUDGMENT

The suit was filed for recovery of money to the tune of Rs.5,00,000/- with 12% interest. The suit was allowed. Aggrieved over the same, the defendants 1 to 3 had filed an appeal and the same was dismissed. Aggrieved over the same, the present second appeal is filed by the defendants 1 to 3.



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2.At the time of the admission, an order of interim stay was granted on the condition that appellants / defendants 1 to 3 should deposit Rs.3,00,000/-. But the conditional order was not complied with. The defendants 1 to 3 had borrowed money from the plaintiff and the Trial Court passed a judgment to pay the said amount with 6% interest.

3.In the present appeal, no legally sustainable substantial questions of law are raised by the appellants / defendants 1 to 3. Hence, the second appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

12.03.2024

Index : Yes / No

NCC : Yes / No

Tmg

TO:

1.Additional District and Sessions Judge,
Periyakulam, Theni District.

2. Sub Court, Periyakulam, Theni District.

3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY, J.

Tmg

Judgment made in
S.A.(MD)No.24 of 2024

Dated:
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