

IN THE COURT OF THE ADDITIONAL DISTRICT JUDGE, TENKASI

PRESENT: **Thiru.S. Manojkumar, M.A., M.L.**,
Additional District Judge , Tenkasi.

Tuesday the 10th day of March 2026

APPEAL SUIT No.23/2021
(CNR No.TNTS01 000288 2021)

Subbiah, S/o Late Arumuga Nadar, aged 55 years, residing at Door No.5/283,
Samuthirapuram Street, Kurumpalaperi, Kulasekarapatti village, Tenkasi Taluk.

... Appellant / Defendant

/versus/

1. Madasamy Thevar (Died), S/o Late Gomathi Thevar, aged 57 years, residing at
Main road, Nagalkulam, Pethanadarpartti Part II village, Alangulam Taluk.

... 1st Respondent / Plaintiff

2. Pitchammal, W/o Late Madasamy Thevar, aged 43 years, residing at Door No.2/2,
Main road, Nagalkulam, Pethanadarpartti Part II village, Alangulam Taluk.

3. Murugesan, S/o Late Madasamy Thevar, aged 30 years, residing at Door No.2/2,
Main road, Nagalkulam, Pethanadarpartti Part II village, Alangulam Taluk.

4. Malaselvi, W/o Balamurugan, D/o Late Madasamy Thevar, aged 26 years,
residing at Thiricoodapuram, Chockampatti village, Tenkasi Taluk.

5. Pradeesh kumar, S/o Late Madasamy Thevar, aged 25 years, residing at Door
No.2/2, Main road, Nagalkulam, Pethanadarpartti Part II village, Alangulam Taluk.

6. Venkatesh, S/o Late Madasamy Thevar, aged 23 years, residing at Door No.2/2,
Nagalkulam, Pethanadarpartti Part II village, Alangulam Taluk.

... Respondents 2 to 6

(As per order of this Court in I.A.No.1/2022 dated 14.03.2021 the Respondents 2 to 6
were impleaded as legal heirs of deceased 1st Respondent)

and

(As per order of this Court in I.A.No.5/2024 dated 04.02.2025 the Appeal
Memorandum was amended)

This Appeal has been filed against the Decree and Judgment passed in O.S.No.279/2013, dated 04.01.2021 on the file of Additional Subordinate Court, Tenkasi.

The details about the parties before the Trial Court

Between

Madasamy Thevar ... Plaintiff

/versus/

Subbiah ... Defendant

Appeal Presented on : 26.02.2021 before the
Principal District and Sessions Court,
Tirunelveli

Appeal filed on : 01.03.2021
Transferred to this
Court and received by this Court
on 16.03.2021

Particulars of Valuation

Value of relief claimed in the lower court. ... Rs.1,36,000/-

Court fee of Rs.10,200.50 is paid before the Lower Court under Section 22 of TNCF Act

Value of relief claimed in this appeal ... Decree amount Rs.1,36,000/- +
Interest Rs.1,32,333/- + Rs.850/-=
Total Rs. 2,69,183/-

Court fee of Rs.8,076/- is paid before this Appellate Court as per amended Court fee Act under Section 22 and 52(3).

This Appeal Suit came up before this court on 02.03.2026 for final hearing in the presence of Thiru.S.Pandiarajan, Advocate appeared for the Appellant and Thiru.E.Appadurai, Advocate appeared for the Respondents 2 to 6 and the 1st Respondent died and upon hearing the arguments of both sides and on perusing the

records and having stood over till this date for consideration, this court doth the following ...

DECREE

(1) that the appeal be and the same is hereby allowed.

(2) that the Decree and Judgment in O.S.No.279/2013 dated 04.01.2021 on the file of the Additional Subordinate Court, Tenkasi is hereby setaside.

(3) that the Respondents are hereby directed to pay a sum of Rs.13,335/- to the Appellant as cost of this Appeal.
(Respondents' side cost statement not filed)

STATEMENT OF COST

<u>Description</u>	<u>Appellant</u>	<u>Respondents</u>
Stamp on appeal memorandum :	8,076.00	(Not filed)
Vakalat :	10.00	
Batta memo :	8.00	
Advocate Fees :	5,241.00	
TOTAL :	13,335.00	

Schedule

Nil

Given under my hand and the *seal* of the court, this the 10th day of March 2026.

Additional District Judge,
Tenkasi

Copy to :

The Additional Subordinate Judge,
Tenkasi.

Additional District Court (FTC), Tenkasi
A.S.No.23/2021
Decree
Dated:10.03.2026

