

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 26.07.2016

CORAM

THE HONOURABLE MR.JUSTICE T. MATHIVANAN

C.M.A.Nos.286 & 287 of 2016

and

C.M.P.Nos.2346 & 2347 of 2016

M/s.Premier PVC Industry
a registered Partnership Firm,
rep by its Managing Partner P.Uma Rajeshwari,
S.F.No.337/3R,
Cinema Theatre Thottam,
Trichy Road,
West Palladam,
Palladam-641 664.
in both CMAs. ...Appellant

Versus

M/s.Krishna Pipes,
No.31, Sri Krishna Rice Mill Compound,
Kaithamalai Road,
Uttukuli-638 751. ... Respondent in both CMAs.

Prayer: Civil Miscellaneous Appeals have been filed under Order 43, Rule 1 of Civil Procedure Code against the order dated 08.12.2015 and made in I.A.Nos.1242 & 1243 of 2014 respectively in O.S.No.239 of 2014 on the file of the I Additional District Judge at Tiruppur.

For Appellant
(in both petitions) :Mr.K.Rajasekaran
For Respondent
(in both petitions) :Mr.G.Ranji

JUDGEMENT

Civil Miscellaneous Appeals have been filed under Order 43, Rule 1 of Civil Procedure Code against the order dated 08.12.2015 and made in I.A.Nos.1242 & 1243 of 2014 respectively in O.S.No.239 of 2014 on the file of the I Additional District Judge at Tiruppur.

2. It is brought to the notice of this Court that the suit in O.S.No.239 of 2014 was dismissed for non prosecution on 16.03.2016.

3. Mr.K.Rajasekaran, learned counsel appearing for the appellant has also produced the Xerox copies of the judgment dated 16.03.2016 passed in O.S.No.239 of 2014, certified by the Court Superintendent.

4. Since the suit itself was dismissed for default on 16.03.2016 by the trial Court, the appeals in CMA Nos.286 & 287 of 2016, which are arising out of the common order dated 03.03.2015 and made in the Interlocutory Applications in I.A.No.1242 & 1243 of 2014, have become infructuous and therefore, the Civil Miscellaneous Appeals in CMA Nos. 286 & 287 of 2016 are dismissed as infructuous. Consequently, connected miscellaneous petitions are closed. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

dn

To

The I Additional District Judge,
Tiruppur

+1 cc to Mr.K.Rajasekaran Advocate sr.42308

+2 ccs to Mr.G.Ramji Advocate sr.42304

सत्यमेव जयते

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