

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2017

CORAM:

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

C.M.A.No.322 of 2015

and

M.P.No.1 of 2015

1.Porkalai
2.Pazhaniammal
3.Jayasundari
4.Anjalachi

... Defendants 1 to 4/Appellants 1 to 4/
Appellants 1 to 4

-Vs-

Janakiraman
S/o.Thangavel Kounder

... Plaintiff/Respondent /Respondent

PRAYER:

Appeal filed under Order 43 Rule 1(u) of CPC, against the judgment and decree dated 28.08.2014 passed in A.S.No.48 of 2013 on the file of the Principal Subordinate Court, Cuddalore in remanding the suit in O.S.No.756 of 2004 on the file of the Principal District Munsif Court, Cuddalore.

For petitioners :Mr.P.Mani

For respondent :Mr.T.Velumani

ORDER

Mr.Mani, learned counsel appearing for the petitioners would submit that the present appeal has been preferred against the order of remand passed by the first Appellate Court. During the pendency of this Civil Miscellaneous Appeal, the Trial Court had disposed of the original proceedings pursuant to the remand made by the first Appellate Court and therefore, the matter has become infructuous. The learned counsel for the petitioners had also made an endorsement to that effect.

2.In view of the submission and endorsement made by the learned counsel appearing for the petitioners, the present Civil Miscellaneous Appeal is dismissed as infructuous. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Principal Sub Judge,
Cuddalore.
- 2.The Principal District Munsif,
Cuddalore.

C.M.A.No.322 of 2015

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