

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.06.2017

Coram:

THE HON'BLE MR. JUSTICE S.VAIDYANATHAN

Second Appeal No.1183 of 2011

Subramaniam

... Appellant/
2nd Defendant

vs.

1. Nithya
2. Shemala
3. Ethiraj
4. Vasantha
5. Vimala

... Respondents

Second Appeal filed under Section 100 C.P.C. against the judgment and decree dated 31.03.2011 passed in A.S.No.56 of 2009 on the file of the Sub-Court, Vellore Town & District, confirming the judgment and decree, dated 25.08.2009 made in O.S.No.203 of 1993 on the file of the District Munsif Court, Arakonnam, Vellore District.

For Appellant : Mr.S.Vediappan
for Mr.R.Karthikeyan

For Respondents 1 & 2 : Mr.K.V.Anantha Krushnan

For R3 to R5 : Given up

J U D G M E N T

Today, when the matter is taken up for hearing, learned counsel for the appellant submitted that the suit filed by the plaintiff for bare injunction was decreed and the same has been confirmed by the First Appellate Court. Aggrieved by the judgment and decree of the First Appellate Court, the present Second Appeal is filed. He further submitted that during the pendency of the Second Appeal, the appellant herein filed a suit in O.S.No.427 of 2014 for declaration and possession and the same was decreed in his favour.

2. In view of the judgment and decree, dated 15.09.2016 passed by the Sub-Judge, Arakkonam in O.S.No.427 of 2014, this Second Appeal is dismissed with liberty to the appellant to work out the remedy available to him. No costs. Consequently,

connected M.P.No.1 of 2011 is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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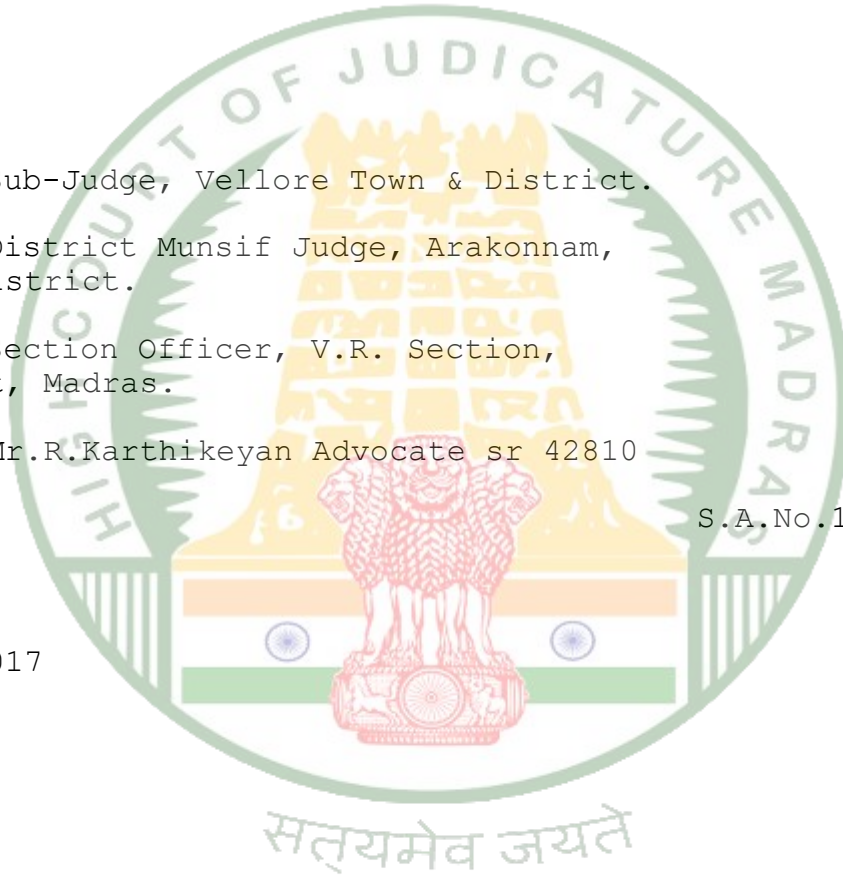
To:

1. The Sub-Judge, Vellore Town & District.
2. The District Munsif Judge, Arakonnam,
Vellore District.
3. The Section Officer, V.R. Section,
High Court, Madras.

+1 cc to Mr.R.Karthikeyan Advocate sr 42810

S.A.No.1183 of 2011

kji(co)
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