



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :12.04.2017

CORAM

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THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**

C.M.A(MD)No.284 of 2017
and C.M.P.(MD)No.3346 of 2017

Sulochana .. Appellant / Petitioner
Vs.
1.Baskaran
2.Sivakumar
3.Soby
4.Sub-registrar at the Office of the District Registrar
Public Office Compound, Pudukottai.
5.District Registrar at the Office of the District Registrar
Public Office Compound,
Pudukottai. .. Respondents / Respondents

PRAYER:- Civil Miscellaneous Appeal filed under Section 76 of Mental Health Act, 1987 r/w Order XLI Rule 10F C.P.C to set aside the Order and Decreetal Order passed by the learned Principal District Judge, Pudukkottai in M.H.O.P.No. 39 of 2013 dated 06.08.2013.

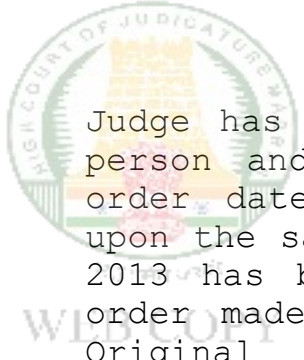
For Appellant :Mr.M.Karthikeya Venkitachalapathy
For R1 to R3 :Mr.K.Bala Sundaram
For R4 and R5 :Mr.S.Satheesh Kumar
Additional Government Pleader

J U D G M E N T

This Civil Miscellaneous Appeal is directed against the order made in M.H.O.P.No. 39 of 2013 dated 06.08.2013 on the file of the Principal District Judge, Pudukottai.

2. Heard the learned counsel for the appellant, the learned counsel appearing for the respondents 1 to 3 and the learned Additional Government Pleader appearing for the respondents 4 and 5.

3. The order impugned in this appeal is a consequence of dismissal of I.A.No.15 of 2013 filed by the alleged mentally ill person seeking to dismiss the main application on the ground that she is not a mentally ill person. When the said Interlocutory Application was taken up for hearing, the learned District Judge <https://hlservices.ecourts.gov.in/hlservices/> in the open Court and recorded her evidence and on the basis of the replies given by her, the Learned District



Judge has come to the conclusion that she is not a mentally ill person and upon such finding, the learned District Judge, by order dated 06.08.2013, allowed I.A.No.15 of 2013. Consequent upon the same, the main Original Petition, namely M.H.O.P.No.39 of 2013 has been dismissed. The appellant has not challenged the order made in I.A.No.15 of 2013. The order passed in the main Original Petition is a consequential order. This Civil Miscellaneous Appeal, challenging the consequential order of dismissal made in M.H.O.P.No.15 of 2013, is dismissed, since the order made in I.A.No.15 of 2013 has already become final. No costs. Consequently, connected C.M.P. (MD) No.3346 of 2017 is also dismissed.

Sd/-
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

The Principal District Judge, Pudukottai.

COPY TO:

The Section Officer,
V.R.Section, Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.M.Karthikeya Venkitachalapathy, Advocate SR.No.51646
+1cc to Special Government Pleader, SR.No. 52245
+2cc to M/S.K.Bala Sundaram, Advocate SR.No.52138,51850

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JM/RSK/05.05.2017/2P/7C