



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2017

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.M.A(MD)No.801 of 2011

and

M.P.(MD)No.1 of 2011

Sivanupandi ... Appellant/Respondent/Plaintiff

Vs.

1.Vallaiyathal

2.Sankarammal

3.Sundarathal

4.Chellathai

5.Gomathy (R1 to R5 rep through their Power Agent
Shanmugathai)

6.Shanmugathai

7.Muthulakshmi

(7th Respondent remain ex-parte in
lower Courts hence no notice
need be served)

... Respondents/Appellants/Defendants

PRAYER:- Civil Miscellaneous Appeal filed under Section 105 order 43 Rule (1)(u) of Civil Procedure Code, to set aside the Judgment and Decree passed in A.S.No.62 of 2008 on the file of the Additional Sub-Court, Tenkasi, dated 22.12.2010 remanding the Judgment and decree in O.S.No.234 of 2002 on the file of the Principal District Munsif Court, Tenkasi, dated 05.04.2004.

For Appellant : Mr.R.T.ArivuKumar
For R-1 to R-6 : Mr.P.Thiagarajan
For R-7 : Ex-parte (vide EB)

J U D G M E N T

This Civil Miscellaneous Appeal has been filed by the appellant to set aside the Judgment and Decree passed in A.S.No.62 of 2008 on the file of the Additional Sub-Court, Tenkasi, dated 22.12.2010, reversing the Judgment and decree passed in O.S.No.234 of 2002 on the file of the Principal District Munsif Court, Tenkasi, dated 05.04.2004.

<https://hcservices.ecourts.gov.in/hcservices/>

2. When the matter came up for hearing on 19.07.2017, the learned counsel for the appellant submitted that the matter has



been amicably settled between the parties, out of Court. Therefore, this Court directed the learned counsel to get written instructions to that effect. However, today the learned counsel for the appellant comes and reports no instructions.

3. In view of the same, this Civil Miscellaneous Appeal is dismissed. No Costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To,

1.The Additional Sub-Court,
Tenkasi.

2.The Principal District Munsif Court,
Tenkasi.

3.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

C.M.A.No.801 of 2011
and
M.P. (MD) No.1 of 2011
26.07.2017

PM

JM/JC/SAR 2/07.08.2017/2P/4C