

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2018

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

A.S.No.27 of 2013

M. Sankaran

... Appellant/Plaintiff

Vs.

Madras Boat Club
rep. by its Secretary,
No.2, III Avenue,
Boat Club Road,
Raja Annamalaipuram,
Chennai - 600 028.

... Respondent/Defendant

PRAYER: Appeal Suit filed under Section 96 of the Code of Civil Procedure against the Judgment and Decree dated 22.08.2011 in O.S.No.11964 of 2010 on the file of the learned Additional District and Sessions Judge, Fast Track Court No.IV, Chennai.

For Appellant	:	Mr.P.B. Balaji
For Respondent	:	Mr.C.A. Thiyagarajan

JUDGMENT

The above Appeal Suit is filed challenging the Judgment and Decree dated 22.08.2011 passed in O.S.No.11964 of 2010 by the learned Additional District and Sessions Judge, Fast Track Court No.IV, Chennai. The said Decree was an ex parte. It is now submitted by both the counsel that the defendant/respondent had filed an application for setting aside the ex parte decree and the same has been ordered and the suit is taken back to file. Therefore, nothing survives for consideration in the present first appeal as all the issues can be agitated afresh before the learned Additional District and Sessions Judge, Fast Track Court No.IV, Chennai. The Appeal Suit is dismissed as infructuous. No costs.

Sd/-

Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

mps

To

The Additional District and Sessions Judge,
Fast Track Court No.IV,
Chennai.

2. The section officer,
VR Section,
High court
Madras

+1cc to Mr.P.B.RAMANUJAM , Advocate SR.No. 83690

A.S.No.27 of 2013

A.SK(18/01/2019)