

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2018

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice N.ANAND VENKATESH

O.S.A.No.142 of 2018
and
C.M.P.No.8401 of 2018

G.Thiyagarajan ... Appellant

Vs

1.David Arul
2.Michael Arul

3.M/s.Temple Financial Consultants Private
Limited rep. by its
Managing Director Ashok Arthur Jaipal

4.Advent Computer Services Ltd.,
rep. by its Managing Director
Michael Arul

5.Tecways India Private Limited
rep. by its Chief Executive Officer
Suzanne Geri

Respondents

Appeal preferred under Order XXXVI Rule 9 of O.S. Rules
against the order and decretal order dated 26.10.2017 passed
in Application No.712 of 2017 in C.S.No.583 of 2011.

For Appellant .. Mr.A.Palaniappan

For Respondents.. Mr.S.Siva Sanganrane

JUDGMENT

(Judgment of the Court was delivered by M.M.SUNDRESH, J.)

This appeal is directed against the judgment and decree
dated 26.10.2017 passed in Application No.712 of 2017 in
C.S.No.583 of 2011.

2.After making submissions, learned counsel appearing for the appellant would submit that inasmuch as the trial has already commenced, the appeal may be disposed of with the observation that the findings rendered by the learned single Judge are meant for the disposal of the interlocutory application alone and this will not have any bearing on the main suit.

3.Considering the submissions made by the learned counsel appearing for the appellant, the Original Side Appeal stands disposed of with an observation that the findings rendered by the learned single Judge do not have any bearing on the final adjudication of the suit. Taking into consideration the fact that the parties are before the learned Additional Master - II and the suit is of the year 2011, a direction is issued to the learned Additional Master - II to conclude the trial within a period of eight weeks from today. We also make it clear that all the issues are left open to be decided in the suit. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Sub Assistant Registrar,
Original Side, High Court, Madras.

2. The Additional Master-II, High Court, Madras.

O.S.A.No.142 of 2018

SS(CO)
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