



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.01.2018

CORAM:

THE HONOURABLE MR. JUSTICE A.M.BASHEER AHAMED

WEB COPY

C.M.A.(MD)No.1239 of 2017

and

C.M.P.(MD)No.12014 of 2017

1.Churches of South India Trust Association,
Chennai.

Rep.by its Power Agent,
The Treasurer,
Thoothukudi Nazareth Diocese,
Coastal Road,
Thoothukudi 628 001.

2.CSI Thoothukudi Nazareth Diocese,
Rep.through its Treasurer,
Coastal Road,
Thoothukudi 628 001.

... Appellants/Petitioners 2,3/
Plaintiffs 2,3

Vs.

1.The Moderator,
Thoothukudi Nazareth Diocese,
Coastal Road,
Thoothukudi 628 001.

2.The Pastorate Chairman,
Vembar Pastorate,
CSI St.Thomas Church Campus,
Vembar Village 628 906.
Thoothukudi District.

... Respondents 1,2/Petitioners 1,4/
Plaintiffs 1,4

3.R.Ayyamperumal Nadar

4.Balasundaram

5.Suyambulingam

6.R.Suresh

... Respondents 3 to 6/Respondents 1 to 4/
Defendants 1,2,6,7

PRAYER: The Appeal filed under Order 43 Rule 1(r) CPC, against the fair order dated 16.12.2017 passed in I.A.No.190 of 2017 in O.S.No.25 of 2014 on the file of the II Additional District Judge, Thoothukudi.

JUDGMENT

The learned counsel for the appellant and the learned counsel for the respondent are present and heard.

2.The present appeal is preferred against the order dated 16.12.2017 passed in I.A.No.190 of 2017 in O.S.No.25 of 2014 by the II Additional District Judge, Thoothukudi.

3.The learned counsel for the appellant submitted that the relief sought for in I.A.No.190 of 2017 was already expired and hence, the Civil Miscellaneous Appeal has become infructuous. Hence, he made an endorsement to that effect.

4.In view of the same, this Civil Miscellaneous Appeal is dismissed as infructuous with liberty to the appellant to file appropriate application in future if necessary. Consequently, connected C.M.P.is closed.

Sd/-
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

The II Additional District Judge, Thoothukudi.

+1cc to M/S.S.Kadarkarai, Advocate SR.No. 42046

C.M.A. (MD) No.1239 of 2017

nbj

JM/SKN RSK/SAR 1/01.02.2018/2P/3C