

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2020

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

S.A.Nos.798 and 799 of 2014
and M.P.Nos.1 and 1 of 2014

State Bank of India,
Lovedale branch,
Represented by its
Branch Manager,
Lovedale, The Nilgiris.

...Appellant/defendant
(in both S.As)

Vs

Mr.M.B.Arasu

...Respondent/Plaintiff
(in S.A 798/14)

Mr.M.B.Arun

...Respondent/Plaintiff
(in S.A 799/14)

Second Appeals filed under Section 100 of the Code of Civil Procedure to set aside the fair and decreetal order dated 31.01.2014 made in A.S.Nos.30 & 31 of 2013 on the file of the Subordinate Judge, Uthagamandalam, reversing the judgment and decree dated 20.06.2013 made in O.S.Nos.128 & 129 of 2011 on the file of the District Munsif, Uthagamandalam.

For Appellant : Mr.S.Mukunth
for M/s.Sarvabhaunman Associates
(in both S.As)

For Respondent : Mr.A.Muthukumar
(in both S.As)

COMMON JUDGMENT

The respondent herein as plaintiff filed the suits in O.S.No.128 of 2011 and O.S.No.129 of 2011 before the District Munsif, Uthagamandalam against the appellant for mandatory injunction directing the appellant Bank to close the loan accounts in G.L.Nos.30796218600 and 30796237791 and consequently, hand over the gold jewels pledged with the appellant.

2.Mr.A.Muthu Kumar, learned counsel for the respondent would submit that both the suits were dismissed by the trial Court,

however, the appellate Court issued mandatory injunction against the appellant as prayed for in the suits. It is further submitted that the dispute was amicably settled and the jewels were returned to the respondent herein.

3. In the light of the above submission, nothing survives for consideration and these Second Appeals are dismissed as infructuous. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Subordinate Judge,
Uthagamandalam,

2. The District Munsif,
Uthagamandalam.

+1 cc to Mr. A. Muthu Kumar, Advocate, S.R.No.12307

+1 cc to Mr. Sarvabhauman Associates, Advocate, S.R.No.12778

S.A.Nos. 798 and 799 of 2014
and
M.P.Nos. 1 and 1 of 2014

PA (CO)
RN(18/05/2020)

सत्यमेव जयते

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