

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-02-2020

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

A.S.No.170 of 2017
CMP.No.7342 of 2017

Sahabuddeen

.. Appellant/Plaintiff

vs.

1. Manikandan
2. Rani
3. Vinitha
4. Vimaladevi
5. Pushpaleela

.. Respondents/Defendant

Appeal under Section 96 of the Code of Civil Procedure, 1908, read with Order 41, Rule 1 of the Code of Civil Procedure, 1908 against the judgment and decree made in O.S.No.36 of 2014 on the file of the Third Additional District Judge, Thiruvallur at Poonamallee, dated 02.01.2017.

For Appellant : Mr.V.Raghavachari

For Respondents : Mr.K.J.Parthasarathy

J U D G M E N T

The learned counsel appearing on behalf of the respondents made a submission that the Original Suit in O.S.No.36 of 2014 was filed with the prayer to grant mandatory injunction and for permanent injunction. However, the defendants / land owners subsequently filed R.C.O.P.No.12 of 2013 for eviction and the competent Court ordered for an eviction and therefore, Execution Petition No.55 of 2017 was filed for execution of the eviction and accordingly, the appellant was evicted and the delivery of possession was handed over to the respondents. Therefore the cause arises for the purpose of filing the Appeal Suit became vanished. Thus, no further adjudication needs to be entertained in respect of the grounds raised in the Appeal Suit.

2. Accordingly, the Appeal Suit stands disposed of as infructuous. No Costs. Consequently, the connected Civil Miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-I)

//True copy//

Sub Assistant Registrar

pkn

To

Third Additional District Judge,
Thiruvallur at Poonamallee.

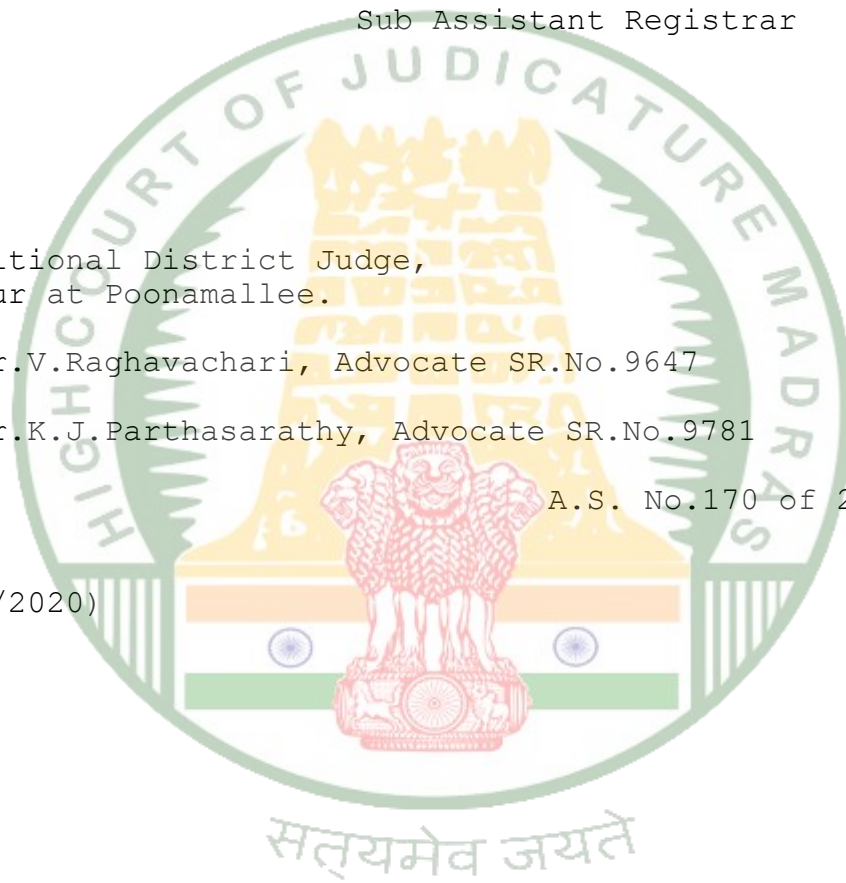
+1cc to Mr.V.Raghavachari, Advocate SR.No.9647

+1cc to Mr.K.J.Parthasarathy, Advocate SR.No.9781

A.S. No.170 of 2017

BS (CO)

GMV (09/03/2020)



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