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C.M.A.(MD) No.1118 of 2007

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

C.M.A. (MD) No.1118 of 2007

and

M.P. (MD) Nos.1 & 2 of 2007

N.Anand

... Appellant/petitioner/Defendant

-vs-

1.N.Pushpam

2.N.Meena

... Respondents/ Respondents/Plaintiffs

PRAYER: Civil Miscellaneous Appeal is filed under Order 39 Rule 1(r) of the Code of Civil Procedure, to set aside the Judgment and Decree passed in I.A.No.8 of 2007 in O.S.No.41 of 2006, on the file of the Additional District & Sessions Court-cum-Fast Track Court No.III, Madurai, dated 05.07.2007.

For Appellant : Mr.K.K.Ramakrishnan

For Respondents : No appearance

J U D G M E N T

This civil miscellaneous appeal is directed against the order, dated dated 05.07.2007, in I.A.No.8 of 2007 in O.S.No.41 of 2006, on the file of the Additional District & Sessions Court-cum-Fast Track Court No.III, Madurai.

2. It appears that the injunction application filed by the appellant came to be dismissed by the Trial Court. Challenging the order, the present appeal is filed.

3. Mr.K.K.Ramakrishnan, learned counsel appearing for the appellant, would state that there was a dispute in the family of the appellant with regard to partition of the property and hence, a suit was filed. However, pending suit, an amicable settlement has been reached by the parties and it will be recorded before the Trial Court and therefore, the relief sought for in this appeal has become infructuous.

4. In the light of the above submission of the learned counsel appearing for the appellant, the civil miscellaneous appeal is dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

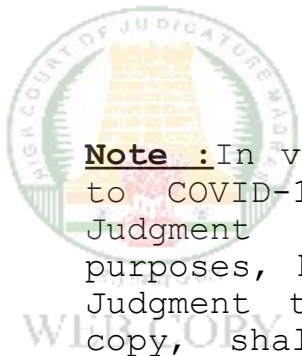
Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the Judgment may be utilized for official purposes, but, ensuring that the copy of the Judgment that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

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To:

- 1.The Additional District & Sessions Judge,
Fast Track Court No.III,
Madurai.
- 2.The Record Keeper, (2 copies)
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

C.M.A. (MD) No.1118 of 2007
and
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