



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2021

CORAM :

THE HONOURABLE MRS.JUSTICE S.ANANTHI

C.M.A. (MD)No.1378 of 2011

and

M.P.No.2 of 2011

WEB COPY

1.M.Senthamarai

2.V.Muniyandi

...Appellants/Petitioners/Defendants

Vs.

1.S.J.Ganga

2.S.J.Kuppusamy

3.S.J.Janarthanan

4.S.J.Amarnath

5.S.G.Sridevi

...Respondents/Respondents/ Plaintiffs

PRAYER: Civil Miscellaneous Appeal filed under Order XLIII, Rule 1 of the Code of Civil Procedure, to set aside the order, dated 30.11.2009 passed in I.A.No.495 of 2008 in O.S.No.17 of 2007 passed by the I Additional District Judge, Madurai.

For Appellants :Mr.S.Devasena

For Respondents :Mr.N.Vallinayagam

JUDGMENT

This Civil Miscellaneous Appeal has been filed to set aside the order, dated 30.11.2009 passed in I.A.No.495 of 2008 in O.S.No.17 of 2007 passed by the I Additional District Judge, Madurai.

2.The learned counsel for the respondents has filed a memo stating that the appellants have filed E.P.No.45 of 2011 to enforce the judgment and decree passed in O.S.No.17 of 2007 on the file of the I Additional District Judge, Madurai and the said execution proceedings were terminated on 31.08.2017 because the suit property has been delivered.

3. In view of the same, the Civil Miscellaneous Appeal is dismissed as infructuous. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

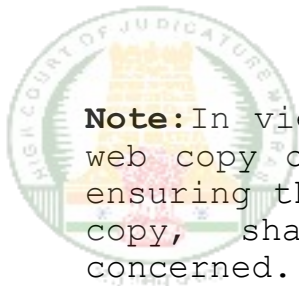
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/ /2021

Sub Assistant Registrar(CS)

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

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To

- 1.The I Additional District Judge,
Madurai.
- 2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.(2 COPIES)

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M.P.No.2 of 2011
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RD(15.12.2021) 2P 4C