



WEB COPY

S.A.(MD)No.646 of 2007

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

S.A.(MD)No.646 of 2007

Ayub Khan ... Plaintiff / 1st Respondent / Appellant

-Vs-

1.Kathoon Beevi ... 1st Defendant / Appellant / Respondent

2.Jamal Mohammed ... 2nd Defendant / 2nd Respondent /
Respondent

PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code, against the judgment and decree dated 07.11.2006 made in A.S.No.1 of 2005 on the file of the Sub Court, Sivagangai, reversing the judgment and decree dated 13.10.2004 made in O.S.No.109 of 2001 on the file of the District Munsif Court, Tirupathur.

For Appellant : Mr.S.Srinivasa Ragavan
For Respondents : Mr.Venkatesan

JUDGMENT

The plaintiff is the appellant in this second appeal. The plaintiff wanted to restrain the landlord from taking recourse to coercive measures. The suit was decreed. But on appeal filed by the landlord, the decision of the trial court was reversed. Hence, the plaintiff has filed the second appeal.

2. In the meanwhile, the landlord filed eviction petition under the Tamilnadu Buildings (Lease and Rent Control) Act and succeeded therein. RCA filed by the appellant is said to have been dismissed. The object of the appellant was that landlord should not act in a high-handed manner. The landlord has shown his bonafides by taking recourse to law. Therefore, nothing survives for further adjudication. The second appeal is closed. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1.The Sub Court, Sivagangai.

2.The District Munsif Court, Tirupathur.

Copy To

The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.SRINIVASA RAGHAVAN, Advocate (SR-30948[F] dated
01/10/2021)

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RD(18.10.2021) 2P 6C