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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2022

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.M.A.No.1921 of 2021

and

C.M.P.No.10386 of 2021

S.Dhanabalan

... Appellant

Vs.

1. P. Gunasekar

2. N. Govindaraj

... Respondents

PRAYER: Civil Miscellaneous Appeal filed under Order 43 Rule 1 (q) of C.P.C. Praying to set aside the order insofar as refusal to order attachment of property in the Fair and Decretal order dated 29.03.2021 made in I.A.No.49 of 2021 in O.S.No.107 of 2021 on the file of the I Additional District Judge, Tiruppur in by allowing this Civil Miscellaneous appeal.

For Appellant : Mr.V.Anandamurthy

ORDER

This Civil Miscellaneous Appeal is filed to set aside the order of refusal of attachment of the property in the fair and decretal order dated 29.03.2021 made in I.A.No.49 of 2021 in O.S.No.107 of 2021 on the file of the I Additional District Judge, Tiruppur.

2.Heard the learned counsel appearing for the appellant.

3.Considering the fact that the security has been accepted as early as on 29.03.2021 and the Civil Miscellaneous Appeal is yet to be admitted, no orders are required in the Appeal. Therefore, Civil Miscellaneous Appeal is dismissed. However, taking into consideration the submission of the learned counsel for the appellant that the issues have already been framed in the suit, the I Additional District Judge, Tiruppur is directed to dispose of the suit in O.S.No.107 of 2021 on or before 31.08.2022.



4. With the above direction, this Civil Miscellaneous Appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

srn
To

1. The I Additional District Judge,
Tiruppur
2. The Section Officer,
VR Section, Madras High Court,
Chennai.

+1cc to M/s.V.Anandhamurthy, Advocate Sr.9721

C.M.A.No.1921 of 2021
and
C.M.P.No.10386 of 2021

pmk[co]
srg 07/03/2022