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C.M.A.No.3703 of 2021
and
C.M.P.No.2173 of 2021

P.T. ASHA, J.

The above civil miscellaneous appeal has been numbered on the misconception that the order under appeal is against the order of remand. However, a reading of the judgment passed by the learned I Additional District Judge, Coimbatore in A.S.No.17 of 2021 dated 23.09.2021 would indicate that the appeal has been allowed. The order in I.A.No.3 of 2020 in O.S.No.1404 of 2019 dated 26.02.2021 on the file of the II Additional Subordinate Judge, Coimbatore was set aside and the parties were directed to contest the suit. This by no stretch of imagination can be considered as remand. Therefore, the Registry is directed to covert this Civil Miscellaneous Appeal into a Second Appeal. The name of the learned counsel for the first respondent shall also be printed when the matter is listed before this Court.



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