



C.M.A.(MD)No.1266 and 1267 of 2014

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 30.06.2022

CORAM

THE HONOURABLE MRS. JUSTICE R. THARANI

C.M.A.(MD)Nos.1266 and 1267 of 2014

and

M.P.(MD)Nos.2 and 2 of 2014

1. Chandra
2. N.Jothilakshmi
3. N.Muthuramalingam
4. N.Murugan
5. N.Ganapathy
6. N.Devilakshmi
7. N.Sakthivel

(cause title accepted vide order, dated 27.06.2014
made in MP(MD)Nos.1 & 1/2014)

... Appellants in both CMAs

Vs.

1. Mohammed Hakkeem
2. Abubakkar Sithik
3. Fatima Beevi
4. Bava sikkandhar @ Kalaiman Boi ... Respondents in both CMAs



C.M.A.(MD)No.1266 and 1267 of 2014

Prayer in CMA(MD)No.1266 of 2014 : This Civil Miscellaneous Appeal is filed under Section 104 r/w. Order 43 Rule 1(u) of the Code of Civil Procedure, against the fair and executable order, dated 29.01.2014, passed in A.S.No.92 of 2011, on the file of the Additional Subordinate Judge, Tirumangalam Camp Court reversing the judgment and decree, passed in O.S.No.119 of 1999, dated 22.02.2011, on the file of the District Munsif, Tirumangalam and remanding the case to the trial Court.

Prayer in CMA(MD)No.1267 of 2014 : This Civil Miscellaneous Appeal is filed under Section 104 r/w. Order 43 Rule 1(u) of the Code of Civil Procedure, against the fair and executable order, dated 29.01.2014, passed in A.S.No.93 of 2011, on the file of the Additional Subordinate Judge, Tirumangalam Camp Court reversing the judgment and decree, passed in O.S.No.267 of 2001, dated 22.02.2011, on the file of the District Munsif, Tirumangalam and remanding the case to the trial Court.

(In both CMAs)

For Appellants : Mr.N.Vallinayagam

For Respondents 1 to 3 : Mr.M.M.Iqbal

COMMON JUDGMENT

These Appeals are filed against the order, dated 29.01.2014, passed in A.S.Nos.92 and 93 of 2011, on the file of the Additional Subordinate Judge, Tirumangala Camp Court reversing the judgment and



C.M.A.(MD)No.1266 and 1267 of 2014

decree, passed in O.S.No.119 of 1999 and O.S.No.267 of 2001, dated 22.02.2011, on the file of the District Munsif, Tirumangalam and remanding the case to the trial Court.

2. On the side of the appellants, it is stated that these appeals were filed against the order of remand, whereas, the case was remanded to the lower Court and the suits were already disposed of and appeals against the suits were also disposed of and the appeals become infructuous.

3. In view of the submission made by the learned counsel for the appellants, these appeals are dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petitions are closed.

30.06.2022

Ls

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.



WEB COPY



C.M.A.(MD)No.1266 and 1267 of 2014

R. THARANI, J.

Ls

To

- 1.The Additional Subordinate Judge,
Tirumangalam Camp Court.
- 2.The District Munsif,
Tirumangalam.
- 3.The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.

Judgment made in
C.M.A.(MD)Nos.1266 and 1267 of 2014

30.06.2022