

**THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER
AND
THE HON'BLE SMT. JUSTICE M.G.PRIYADARSINI
CIVIL MISCELLANEOUS APPEAL No.377 OF 2011**

JUDGMENT: (Per the Hon'ble Dr.SA,J)

Heard the learned counsel for the appellant and perused the record.

2. No representation for the respondent.
3. Learned counsel for the appellant would submit that a preliminary decree was passed in the subject suit i.e., O.S.No.383 of 2009 and therefore, cause in the appeal does not survive for adjudication.
4. The said submissions are taken on record.
5. Accordingly, the Civil Miscellaneous Appeal is dismissed as infructuous.

Miscellaneous petitions pending, if any, shall stand closed.
There shall be no order as to costs.

Dr. SHAMEEM AKTHER, J

M.G.PRIYADARSINI, J

Date: 12.12.2022
ssp