



WEB COPY



C.M.A.No.3116 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2023

CORAM

**THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN**

**C.M.A.No.3116 of 2011**

**and**

**M.P No.1 of 2011**

1.G.Gururajan

2.G.Ramani

... Appellants

..Vs..

1.K.T.Arumugam (died)

2.K.A.Hemavathi

3.A.Suresh Kumar

4.A.Karthik

(Respondents 2 to 4 were impleaded  
as per order of this Court dated  
26.11.2019 made in CMP Nos.1386 &  
1390 of 2019.)

... Respondents

**Prayer:** Civil Miscellaneous Appeal filed under Section 9A of Chennai City Tenants Protection Act 1921 r/w Order 43 Rule 1 of CPC, against the fair and decreetal order dated 25.08.2011 made in I.A No.10 of 2011 in O.S No.13156 of 2010 on the file of the IV Fast Track City Civil Court, Chennai.

For Appellant

: M/s.S.Vijayalakshmi  
for Mr.D.Rajagopal

For Respondent

: R1 died  
No Appearance for R2 to R4



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## JUDGMENT

**WEB COPY** When the matter came up for hearing today, the learned counsel for the appellants submitted that the 1st respondent/plaintiff died on 08.10.2018 and since no steps have been taken by the legal heirs of the 1st respondent/plaintiff, the main suit in O.S.No.13156 of 2010 was dismissed for default on 25.04.2022 and therefore, the prayer sought for in this petition has become infructuous.

2. Recording the aforesaid submission made by the learned counsel for the appellants, this Civil Miscellaneous Appeal stands dismissed as infructuous. Consequently, connected Miscellaneous Petition is closed.

20.04.2023

Index:Yes/No  
Speaking/Non-speaking Order  
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To

1.The IV Fast Track City Civil Court, Chennai.

2.The Section Officer  
V.R.Section, High Court of Madras.

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**A.A.NAKKIRAN, J.**  
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**20.04.2023**