



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2023

CORAM:

THE HONOURABLE MR. JUSTICE RMT.TEEKA RAMAN

C.M.A.No.319 of 2022

M.Karthikeyan

...Appellant

Vs.

Sky Cotex India Private Limited,
represented by
Soundararaj Karthikeyan
Arul Industrial Estate,
Arul Puram, Tiruppur.

... Respondent

PRAYER: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the order passed in I.A.No.1775 of 2017 in O.S.No.331 of 2017 dated 04.12.2021 by the learned II Additional District Judge, Tirupur.

For Appellant : Mr.M.Dearaj

For Respondent : Mr.P.Santhosh
For M/s.K.Govi Ganesan

J U D G M E N T

The appellant is the defendant in the suit. A petition in I.A.No.1775 of 2017 in O.S.No.331 of 2017 was filed by the plaintiff to attach the petition mentioned property before judgment under Order 38, Rule 5 of the C.P.C, which was allowed by the trial Court dated 04.12.2021. As against the order of attachment, the present Appeal has been filed by the defendant.

**RMT.TEEKAA RAMAN,J.,**

nvi

2. It is represented by Mr.P.Santhosh the learned counsel for Mr.K.Govi Ganesan, the learned counsel appearing for the respondent/plaintiff on record that, the suit itself is disposed of and the judgment and decree was passed on 08.02.2023, whereby the suit itself is decreed for a sum of Rs.1,09,64,726/-. Therefore, nothing survives in the appeal.

3. Recording the above submission, this Civil Miscellaneous Appeal is closed. However, he has to workout his remedy before the appropriate Court in the regular appeal. No costs. Consequently, connected C.M.P is closed.

09.02.2023

nvi

Index : Yes/No
Speaking/Non-speaking order

To
1.The Motor Accident Claims Tribunal Judge /
II Additional District Judge, Tirupur.

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

C.M.A.No.319 of 2022 and
C.M.P.No.2164 of 2022