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S.A.No.259 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

S.A.No.259 of 2018

K.Raju

... Appellant

Vs.

1.A.Anwardeen

2.The Commissioner
Corporation of Chennai
Rippon Buildings
Chennai 600 003.

... Respondents

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure, against the judgment and decree passed in A.S.No.202 of 2015 dated 24.10.2017 on the file of the XIX Additional Judge, City Civil Court, Chennai, reversing the decree and judgment passed in OS.No.9488 of 2006 on the file of VIII Assistant Judge, City Civil Court, Chennai and dated 27.04.2015.



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For Appellant : Mr.A.R.Nixon
For Respondent : Mr.K.Sridhar for R1
Ms.K.Aswini Devi for R2
Standing Counsel (GCC)

JUDGMENT

The appellant/plaintiff filed a suit seeking injunction restraining the first respondent from running a Dental Laboratory Unit in the suit property and also for mandatory injunction directing the second respondent to cancel the license issued to the first respondent for running Laboratory. The suit was decreed and the appeal filed by the first respondent was allowed. Aggrieved by the same, the plaintiff has come up with this Second Appeal.

2. When the Second Appeal is taken up for hearing, the learned counsel for the first respondent filed a memo stating that the first respondent closed the operation of the Dental Laboratory in the suit property and license issued to him by the second respondent also expired. It is also further stated that the first respondent has not applied for any fresh license from the second respondent.



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3. In view of the memo filed by the first respondent that Dental Laboratory in the suit property was already closed, the prayer sought for in the suit has become infructuous. Recording the memo filed by the first respondent, the Second Appeal is disposed of. No costs.

15.12.2023

Index : Yes/No
Internet : Yes/No
Neutral Citation Case : Yes/No
dna

To

- 1.The XIX Additional Judge, City Civil Court, Chennai
- 2.The VIII Assistant Judge, City Civil Court, Chennai.
- 3.The Commissioner
Corporation of Chennai
Rippon Buildings
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S.SOUNTHAR, J.
dna

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