



O.S.A.No.204 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

AND

THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

O.S.A.No.204 of 2021

and C.M.P.No.8398 of 2021

Greater Chennai Corporation
Rep by its Commissioner
Ripon Buildings
Chennai – 600 003

.. Appellant

Versus

A.Shanthi

.. Respondent

Prayer: Original Side Appeal is filed under Order 36 Rule 9 of O.S. Rules r/w clause 15 of the Letters Patent to set aside the Fair Order and decreetal Order dated 10.03.2021 made in Application No.1827 of 2020 in C.S.No.116 of 2020.

For Appellant : Mr.M.Gopinathan

For Respondent : Mr.M.Balasubramanian



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JUDGMENT

(Judgment of the Court was made by **R. MAHADEVAN, J.**)

The appellant / defendant has preferred this original side appeal against the order dated 10.03.2021 passed by the learned Judge in dismissing the application bearing no.1827 of 2020 filed for rejection of the plaint in CS.No.116 of 2020.

2. When the matter was taken up for consideration, the learned standing counsel for the appellant fairly submitted that in the suit, trial has already commenced and the said fact has also been conceded by the learned counsel for the respondent / plaintiff.

3. In view of the above, this court disposes this appeal by leaving it to the parties to face the trial and get along with the suit, in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

[R.M.D., J.] [M.S.Q., J.]
07.03.2023

Index : Yes/No
Internet : Yes/No
Speaking/Non-speaking order
dhk



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**R. MAHADEVAN, J.
AND
MOHAMMED SHAFFIQ, J.**

dhk

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