



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2023

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

C.M.A. No.4768 of 2019 and
CMP No.27484 of 2019

M/s.Ponni Charitable Trust

Rep. by its President

M.Subramani

Having its Office at No.858, Samalapuram and Post,
Tiruppur District

... Appellant

Vs.

1. Chinnasamy

2. Thangannan

3. Ramasamy

4. Ramamurthy

... Respondents

Prayer: This Civil Miscellaneous Appeal is filed under Order 43 Rule 1 (R) of Civil Procedure Code, to set aside the order and decretal order dated 06.09.2019 in I.A.No.66 of 2019 in O.S.No.52 of 2019, on the file of the Principal District Judge, Tiruppur.



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For Appellant : Mr.R.Singaravelan, Senior Advocate for
Mr.B.Nedunchezian

For Respondents : Mr.J.Mohan, Senior Advocate for
Mr.M.G.Mutharasu and D.Gopal for R4
Mr.S.Saisathiyajith for R2
Mr.C.Iyyapparaj for R1
Mr.S.Ravindran, Senior Advocate for
Mr.D.Raghu for R3

JUDGMENT

The above Civil Miscellaneous Appeal is filed to set aside the order and decretal order dated 06.09.2019 in I.A.No.66 of 2019 in O.S.No.52 of 2019, on the file of the Principal District Judge, Tiruppur.

2. When the matter is taken up for hearing today, it is reported that the President of the appellant Trust died. However, till date, no steps have been taken to implead subsequent Trustees.

3. In view of the above fact and since the appeal is only against the



order passed in the interlocutory application in the suit and the suit is only for bare injunction, this appeal is dismissed as abates. The parties are at liberty to workout their remedy in the main suit, pending before the trial Court.

Consequently, connected Miscellaneous Petition is closed. No costs.

19.09.2023

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

To

1.The Principal District Judge, Tiruppur.

2.The Section Officer,
VR Section, High Court, Madras.



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P.VELMURUGAN. J.

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