



S.A.(MD)No.213 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.04.2023**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

S.A.(MD)No.213 of 2023

and

C.M.P.(MD)No.4575 of 2023

Muthumohamed

... Appellant

/Vs./

1.Ummusalma @ Ummusalma Beevi

2.K.Shahjahan

3.K.Malik

4.K.Syed Aligapuri

5.Sulaikalbegam

6.Noorul Jesima

7.Sowkarbanu

8.Reihana

9.Mathina

... Respondents



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PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code to set aside the Judgment and Decree dated 21.12.2021 made in A.S.No.27 of 2019 on the file of the Subordinate Judge, Kovilpatti, confirming the judgment and decree dated 15.04.2019 made in O.S.No. 261 of 2012 on the file of the District Munsif Court, Kovilpatti, by allowing this second appeal.

For Appellant : Mr.V.Meenakshisundaram

For Respondents : Mr.V.S.Rishikesh (R1)

JUDGMENT

The learned counsel appearing for the appellants submits that this second appeal has now become infructuous, in view of the fact that the respondents have already taken possession of the suit schedule property from the appellants, pursuant to an order passed in an Execution Petition.

2. Recording the said statement made by the learned counsel appearing for the appellants, this Second Appeal is dismissed as



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infructuous. No costs. Consequently, connected Miscellaneous Petition is closed.

17.04.2023

Index : Yes / No
NCC : Yes / No
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TO:

- 1.The Subordinate Judge, Kovilpatti.
- 2.The District Munsif Court, Kovilpatti.
- 3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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ABDUL QUDDHOSE, J.

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Judgment made in
S.A.(MD)No.213 of 2023

Dated:
17.04.2023