



CMP(MD)No.9490 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Civil Appellate Jurisdiction )  
Wednesday, the Sixth day of December Two Thousand and Twenty Three  
PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CMP(MD)No.9490 of 2023

in

CMP(MD) No.1910 of 2023

IN

SA(MD) No.68 of 2023

GULAM MOHAMMED

... PETITIONER/RESPONDENT/RESPONDENT

Vs

M.RAVI

... RESPONDENT/PETITIONER/APPELLANT

Civil Miscellaneous petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to permit the Petitioner to withdraw the deposited amount with accrued interest by the Respondent on the file of O.S.No.97 of 2010 before the Subordinate Court, Devakottai.

PRAYER in CMP(MD) No.1910/2023:

To Stay against the Judgment and Decree, dated 16.06.2022 passed in A.S.No.38 of 2017 on the file of Principal District Court, Sivagangai. Confirming the Judgment and decree dated on 07.09.2017 passed in O.S.No.97 of 2010 on the file of Principal Sub Judge, devakottai.

Prayer in SA(MD). 68/ 2023 :

Second Appeal filed under section 100 of Civil Procedure Code, to allow the above the Second Appeal and consequently set aside the Judgment and Decree, dated 16.06.2022 passed in A.S.No.38 of 2017 on the file of Principal District Court, Sivagangai. Confirming the Judgment and Decree dated on 07.09.2017 passed in O.S.No.97 of 2010 on the file of Principal Sub-Judge, Devakottai.



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ORDER : This Civil Miscellaneous petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.K.CHENGIZ KHAN, Advocate for the petitioner and of M/S.K.S.DURAIPANDIAN, Advocate on behalf of the Respondent, the Court made the following order:-

This Civil Miscellaneous Petition is filed by the Petitioner seeking permission to withdraw the deposited amount with accrued interest by the respondent on the file of O.S.No.97 of 2010 before the Subordinate Court, Devakottai.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.Considering the reasons stated in the accompanying affidavit and on being satisfied with the same, this Petition is allowed and the Petitioner is permitted to withdraw the amount so deposited by the respondent together with accrued interest to the credit of O.S.No.97 of 2010, on the file of Subordinate Court, Devakkottai by filing necessary application before the Court below.

sd/-  
06/12/2023

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/12/2023  
Sub-Assistant Registrar (C.S. )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

VSN



**CMP(MD)No.9490 of 2023**

TO  
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- 1 THE PRINCIPAL DISTRICT JUDGE,  
SIVAGANGAI.
- 2 THE SUBORDINATE JUDGE, DEVAKOTTAI.

ORDER  
IN  
CMP(MD)No.9490 of 2023  
in  
CMP(MD) No.1910 of 2023  
IN  
SA(MD) No.68 of 2023  
Date :06/12/2023

SS/DD/SAR- /07/12/2023/3P/3C

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