



C.M.A(MD)No.843 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

C.M.A(MD)No.843 of 2023

and

C.M.P.(MD) No.11899 of 2023

1.The Tamil Nadu Muslim Kalvi Trust
And Managing Trustee Mr.M.H,Mohamed Saleem
Having Office at Jamath Complex, Vadakku Theru
Ammappattinam Manamelkudi TK,
Pudukottai-614620.

Mr.Shaik Abdul Kader (Deceased
S/o.Kuthubudeen

2.M.H.Mohamed

3.The Principal
Annaikhaddeja Arts & Science Women College
Kandani Vayal Village,
Edayathimangalam Post,
Manamelkudi TK,
Pudukottai District-614620.

4.The Managing Committee,
Rep by its Secretary,
Annai Khadeeja Arts & Science College Kandani Vayal Village,
Edayathimangalam Post,
Manamelkudi TK,
Pudukottai District-614620. ... Appellants

.VS.



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1. AnnakKhadeeja Welfare Society,
Represented by its Secretary,
Shahul Hamed,
No.4/150, Muslim Street,
Udayanadu Post,
Peravurani TK, Thanjavur -614802.

2.A.Shahul Hameed

3.N.S.Mayup Khan

4.Dr.M.Iqbal

5.M.Abdul Sathar

... Respondents

PRAYER: Civil Miscellaneous Appeal is filed under Order XLIII Rule(1) of Code of Civil Procedure 1908, to set aside the order dated 23.11.2022 in I.A.No.171 of 2022 in O.S.No.20 of 2020 by the learned Additional District Judge, Pudukottai.

For Appellants : Mr.Mohamed Sajid

For R1 : Mr.S.Abubacker Sidhic

JUDGMENT

This Civil Miscellaneous Appeal is filed challenging the order dated 23.11.2022 passed in I.A.No.171 of 2022 in O.S.No.20 of 2020, by the learned Additional District Judge, Pudukkottai.



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2. When the matter is taken up for hearing, the learned counsel for the appellants submitted that as per the order of this Court dated 05.10.2023, the appellants have paid a cost of Rs.1,000/- to the respondents and a cost memo dated 17.10.2023 has also been filed to that effect.

3. In view of the submission made by the learned counsel for the appellant, this Civil Miscellaneous Appeal is allowed and the order dated 23.11.2022 passed in I.A.No.171 of 2022 in O.S.No.20 of 2020 by the learned Additional District Judge, Pudukkottai is set aside and the same is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

Index :Yes/No
Internet :Yes/No
NCC :Yes/No

20.10.2023

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G.CHANDRASEKHARAN,J.

cp

To

The Additional District Judge,
Pudukottai.

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20.10.2023