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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CMA No.377 of 2022 & CRP.No.501 of 2022
and CMP No.2630, 2634 of 2022

K.Sundaran

..Appellant/Respondent/Defendant
in CMA.No.377 of 2022
& CRP.No.501 of 2022

.VS.

L.Prabhakaran

..Respondent/Petitioner/Plaintiff
in CMA.No.377 of 2022
& CRP.No.501 of 2022

Prayer in CMA No.377 of 2022: Civil Miscellaneous Appeal filed under Order XLIII Rule 1(r) and 2 of C.P.C., to set aside the fair and decreetal order dated 8.12.2021 made in I.A.No.4 of 2020 in O.S.No.208 of 2020, on the file of the Additional District Judge, Chengalpattu, granting injunction by allowing the present civil revision petition.

Prayer in CRP No.501 of 2022: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 8.12.2021 made in I.A.No.5 of 2020 in O.S.No.208 of 2020, on the file of the Additional District Judge, Chengalpattu, to furnish security and consequential order dated 22.12.2021 ordering attachment by allowing the present CRP.

For Appellant : Mr.K.V.Ananthakrishnan
(Both)

For Respondents : Mr. K.Manikandan



(Both)

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COMMON ORDER

When the matter came up for hearing, the learned counsel for the respondent submitted that the main suit in O.S.No.208 of 2020 is now posted for judgment on 12.4.2024.

2.In view of the above, no purpose will be served in dealing with this appeal which was filed against the fair and decretal order that was passed in I.A.Nos.4 and 5 of 2020 in OS.No.208 of 2020, pending disposal of the suit. All the issues are left open to be considered by the trial Court in the main suit.

3.CMA No.377 of 2022 and CRP.No.501 of 2022, are disposed of with a direction to the Additional District Judge, Chengalpattu, to pass final judgment in O.S.No.208 of 2020, on its own merits and in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed.

01.04.2024

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
KP



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To

1. Additional District Judge,
Chengalpattu.

Copy to:-

The Section Officer
VR Section, High Court,
Chennai.



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N. ANAND VENKATESH., J

KP

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