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S.A.No.543 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:11.01.2024

CORAM

THE HONOURABLE Mr. JUSTICE G.ARUL MURUGAN

S.A.No.543 of 2012
and M.P.Nos.1 and 2 of 2012

V.Ramanathan

...Appellant

Vs

M.G.Haneef

...Respondent

PRAYER: Second Appeal is filed under section 100 of the Civil Procedure Code, as against the Judgment and Decree in A.S.No.311 of 2009 dated 20.07.2011 on the file of the VII Additional City Civil Court, Madras reversing the judgment and decree in O.S.No.724 of 2008 on the file of the IV Assistant City Civil Court.

For Appellant : Mr.K.M.Vijayan Asso
For Respondent : Mr.N.A.Nissar Ahmed

J U D G M E N T

The instant second appeal has been preferred by the plaintiff who has filed the suit in O.S.No.724 of 2008 on the file of the 4th Assistant City Civil Court praying for bare injunction restraining the respondents from evicting the plaintiff except due process of law. By Judgment and decree



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G.ARUL MURUGAN, J.,

mpa

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dated 05.11.2008, the suit was dismissed and the appeal filed in A.S.No.311 of 2009 on the file of the 7th Additional Judge, City Civil Court was also dismissed. Aggrieved by the same, the plaintiff is on appeal before this Court.

2. When the above appeal taken up for hearing, the learned counsel appearing for the appellant submits that he has no instructions from the party. The learned counsel for the respondent submits that already appellant has vacated/evicted from the premises and the building has also been demolished, as such, nothing survives in the above second appeal.

3. Recording the same, this Second Appeal is dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

11.01.2024

Index : Yes/No

Speaking order/non-speaking order

mpa

To

1. The VII Additional City Civil Court, Madras.
2. The IV Assistant City Civil Court.

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