



Original Side Appeal (CAD) Nos.158 and 159 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Reserved on 15.02.2024	Delivered on 14.03.2024
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CORAM:

THE HONOURABLE MR JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR JUSTICE R.SAKTHIVEL

Original Side Appeal (CAD) Nos.158 & 159 of 2021
and the connected Miscellaneous Petitions

OSA No.158/2021

1. K. Cowndamani

2. C.M.Shanthi

3. C.M.Selvi

4. C.M.Sumitra

... Appellants

Versus

R.Premanayakam

.... Respondent



Original Side Appeal (CAD) Nos.158 and 159 of 2021

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OSA No.159/2021

1. K. Cowndamani

2. C.M.Shanthi

3. C.M.Selvi

4. C.M.Sumitra

... Appellants

Versus

1. M/s. Sri Abhirami Foundations
Rep by its Partner, R.Premanayakam

2. R.Premanayakam

.... Respondents

PRAYER: Original Side Appeals (CAD) filed under Order XXXVI Rule 1 of the Original Side Rules read with Clause 15 of Letters Patent and Section 13(1A) of the Commercial Courts Act, 2015, to set aside the order dated 15.12.2021 passed in (i) A.No.4610 of 2021 in E.P. No.15 of 2021 (ii) A.No.4644 of 2021 in E.P. No.13 of 2021 respectively and dismiss



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Application No.4610 of 2021 in E.P. No.15 of 2021 (ii) A.No.4644 of 2021
in E.P. No.13 of 2021 respectively.

For Appellants : Mr.A.R.Karunakaran
(in both the Appeals)

For Respondents : Mr.B.Kumar, Senior Counsel
(in both the Appeals) for Mr.A.Kalaivanan

COMMON JUDGMENT

(Judgment of the Court was delivered by R.SUBRAMANIAN, J.)

These Appeals are directed against orders passed in Applications in Appl. Nos. 4610 and 4611 of 2021 filed in the course of the Execution Proceedings of the decree.

2. The learned Single Judge had postponed execution for a limited period to enable the appellants to move the Division Bench for disposal of



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the Appeal. However, the period has also now expired and we have also disposed the Appeal in OSA No.115 of 2021 today, hence these appeals have in effect become infructuous, they are therefore dismissed as infructuous. No costs. Consequently the connected miscellaneous petitions are closed.

(R.SUBRAMANIAN, J.) (R.SAKTHIVEL, J.)

jv

14.03.2024

Index : No

Internet : Yes

Neutral Citation : No

Speaking Order

To

The Section Officer,

Original Side,

High Court of Madras.



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Original Side Appeal (CAD) Nos.158 and 159 of 2021

R.SUBRAMANIAN, J.

and

R.SAKTHIVEL, J.

jv

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14.03.2024

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