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AS Nos.611/2019, 173/2020 & 315/2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **07.11.2024**

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**
and
THE HONOURABLE MR.JUSTICE **MUMMINENI SUDHEER KUMAR**

A.S.Nos.611 of 2019 & CMP No.18544 of 2019
and AS Nos.173 of 2020 & 315 of 2021

1. Selvaraj (Died)

2. Jagatha

3. Preethi ... Appellants in AS No.611 of 2019

A1 Died, A3 is brought on record as LR's of
deceased 1st Appellant, vide order of Court
dated 27.09.2023 made in CMP No.19685/2023
in AS No.611 of 2019 [RSMJ & RKMJ]

1. Selvaraj (Died)

2. S.Jagatha ... Appellants in AS No.173 of 2020

Sole Appellant died, 2nd appellant is brought on record
as LR of deceased sole Appellant, vide order of Court
dated 04.11.2024 made in CMP No.10680, 10701, 10700/24
[RSMJ & CKJ]

1. Selvaraj (Died)

2. S.Jagatha ... Appellants in AS No.315 of 2021



AS Nos.611/2019, 173/2020 & 315/2021

Sole Appellant died, 2nd appellant is brought on record
as LR of deceased sole Appellant, vide order of Court
dated 04.11.2024 made in CMP No.10706, 10707, 10709/24
in AS No.315 of 2021 [RSMJ & CKJ]

Vs.

Pramila

... Respondent in AS Nos.611/19 &
173/2020

1. E.Jayaraman

2. N. Chella Muthu

3. Subramaniam

... Respondents in AS Nos.315/21

Prayer in AS No.611/2019: This appeal is filed under Section 96 read with order XLI Rule 1 of of the Code of Civil Procedure, to set aside the judgment and decree dated 24.11.2017 passed in OS. No.223 of 2013, on the file of II Additional District Judge, Salem.

Prayer in AS No.173/2020: This appeal is filed under Order 41 Rule 1 read with Section 96 of of the Code of Civil Procedure, to set aside the judgment and decree dated 24.11.2017 made in OS No.161 of 2014 on the file of II Additional District Judge, Salem.

Prayer in AS No.315/2021: This appeal is filed under Order 41 Rule 1 and Section 96 of of the Code of Civil Procedure, to set aside the



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judgment and decree dated 24.11.2017 made in OS No.206 of 2015 on
the file of II Additional District Judge, Salem.

For Appellants : Mr.R.Marudhachalamoorthy
(in all the petitions)

For Respondents : Mr.P.Dinesh Kumar
(in AS Nos.611/19 & 173/20)

: No appearance (in AS No.315/2021)

COMMON JUDGMENT

The learned counsel appearing for the appellants in all the appeals has filed three memos seeking withdrawal of these Appeals as settled out of Court. Memos are taken on file and the Appeals are dismissed as Settled out of court. The Memos shall form part of the judgment.

2. In AS No.611 of 2019 there will be an order for refund of the entire Court Fee paid in Appeal, in view of the judgment of the Hon'ble Supreme Court in *High Court of Judicature at Madras Represented by its Registrar General Vs. M.C.Subramaniam and others* reported in



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(2021) 3 SCC 560. There shall be no order as to costs. Consequently,

the connected miscellaneous petition is closed.

**(R.SUBRAMANIAN, J.) (MUMMINENI SUDHEER KUMAR, J.)
07.11.2024**

jv

Index : No
Internet : Yes
Non Speaking order
Neutral Citation: No

Note: Issue order copy on 08.11.2024

To

1. The Additional District Judge,
Salem.
2. The Section Officer,
V.R. Section,
Madras High Court, Chennai 104.



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R.SUBRAMANIAN, J.

and

MUMMINENI SUDHEER KUMAR, J.

jv

A.S.Nos.611 of 2019 & CMP No.18544 of 2019
and AS Nos.173 of 2020 & 315 of 2021

07.11.2024