



C.M.A(MD)No.1733 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 29.01.2024

CORAM:

THE HON'BLE MR.JUSTICE **P. DHANABAL**

C.M.A(MD)No.1733 of 2013

and

M.P(MD)No.1 of 2013

N.K.Nazirkhan

... Appellant

Vs.

1.N.Sivaraj

2.K.Rajakumari

... Respondents

Prayer : This Civil Miscellaneous Appeal filed under Order XLIII, Rule (1) of CPC r/w under Section 100 of CPC, to set aside the fair and decretal order passed by the learned III Additional District Judge, Tiruchirappalli in E.A.No.1 of 2011 in E.P.No.91 of 2009 in O.S.No.29 of 2005, dated 24.07.2013.

For Appellant : Mr.S.K.Mani

For R-1 : Mr.S.R.Sundar

For R-2 : No appearance



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JUDGMENT

When the matter is taken up for hearing today, the learned Counsel appearing for the appellant represented that already entire payment was made to the first respondent and to that effect, he also filed a Memo on 09.07.2014.

2. The learned Counsel appearing for the first respondent represented that he is unable to get instruction from the respondents.

3. In view of the above said representation made by the learned Counsel appearing for the appellant, this Civil Miscellaneous Appeal stands dismissed as infructuous. It is for the appellant to approach the Trial Court for getting appropriate orders, if any required. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

29.01.2024

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



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To

- 1.The III Additional District Judge,
Tiruchirappalli.
- 2.The Section Officer,
Vernacular Record Section,
Madurai Bench of Madras High Court,
Madurai.



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P. DHANABAL, J.

BTR

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