



S.A.(MD)No.414 of 2009

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.07.2024

CORAM

THE HONOURABLE MR.JUSTICE **S.SOUNTHAR**

S.A.(MD)No.414 of 2009

N.Vellayan

...Appellant

-Vs-

S.Maruthiah Pandian

... Respondent

PRAYER: Second Appeal is filed under Section 100 of the Code of Civil Procedure, to set aside the judgment and decree passed in A.S.No.84 of 2007, dated 12.11.2008 on the file of the 1st Additional Subordinate Court, Tirunelveli confirming the judgment and decree passed in O.S.No.507 of 2006, dated 15.07.2007 on the file of the Principal District Munsif Court, Tirunelveli.

For Appellant :Mr.H.Arumugam
For Respondent :Mr.R.Nandakumar



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JUDGMENT

The learned Counsel for the appellant submitted that the appellant herein is the plaintiff in the suit for bare injunction. The suit was filed seeking bare injunction restraining the respondent/defendant from interfering with the plaintiff's possession over the suit property except by due process of law.

2.It is stated by the learned Counsel for the appellant that pending Second Appeal, the appellant had handed over the possession of the suit property to the respondent. Therefore, nothing survives in the Second Appeal for adjudication.

3.The statement of the learned Counsel for the appellant is recorded and the Second Appeal is dismissed as settled. No costs.

08.07.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
cmr

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To

- 1.The 1st Additional Subordinate Judge, Tirunelveli.
- 2.The Principal District Munsif, Tirunelveli.
- 3.The Record Keeper,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.



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