



C.M.P(MD)No.8908 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.11.2024

CORAM:

**THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN
and
THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR**

**C.M.P(MD)No.8908 of 2017
and
AS(MD)No.SR38301 of 2017**

K.Thakshinamurthy

... Petitioner/Appellant

Vs

**1.State Bank of India,
Rep by its Manager,
(Arasaradi Branch)
29, Jawahar Main Road,
Somasundaram Colony,
Madurai.**

**2.Shyamala
3.V.K.Venkatesh**

... Respondents/Respondents

PRAYER in C.M.P.(MD)No.8908 of 2017:-

This Petition is filed under Section 151 of CPC to exempt the petitioner from payment of Court fee of Rs.20,11,378/- for filing the above appeal.

PRAYER in A.S(MD)SR.No.7064 of 2021

This Appeal Suit is filed under Section 96 of the Code of Civil Procedure, as against the ex-parte judgment and decree dated 30.06.2009 passed in O.S.No.



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257 of 2004 on the file of the learned Additional District and Sessions Judge, Fast Track Court No.III, Madurai.

For Petitioner : Mr.B.Prahalad Ravi

For Respondents : No Appearance

Mr.G.Suriyananth

Additional Government Pleader
for Tahsildar, K.Pudur, Madurai.

JUDGMENT

[Order of the Court was made by RMT.TEEKAA RAMAN, J.]

When the matter is taken up for hearing today, the learned counsel for the petitioner reported no instructions.

2.The learned Additional Government Pleader has produced a letter addressed by the Tahsildar, dated 27.11.2024 and stated that the subject matter of the property was attached and it was put up for public auction by the State Bank of India. He further stated that in the public auction, an Advocate from the High Court has taken the property and whereabouts of the petitioner are not known.



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3.Taking into consideration the communication sent by the Tahsildar, Madurai to the Additional Government Pleader and also the submissions of the learned Additional Government Pleader, the Civil Miscellaneous Petition is dismissed. Consequently, AS(MD)No.SR38301 of 2017 is rejected at the SR stage itself. No costs.

[T.K.R., J.] [N.S., J.]

28.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The Additional District and Sessions Judge,
Fast Track Court No.III, Madurai.
- 2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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RMT.TEEKAA RAMAN, J.
and
N.SENTHILKUMAR, J.

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