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ITEM NO.25

COURT NO.13

SECTION XII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).21038/2012
(From the judgement and order dated 08/09/2011 in SA No.1752/1997
of The HIGHCOURT OF MADRAS AT MADURAI)

NAGAMMAL & ORS.

Petitioner(s)

VERSUS

S. KANTHIMATHIAMMAL & ORS.

Respondent(s)

(With appln(s) for exemption from filing O.T., permission to place addl.
documents on record)

Date: 24/09/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SWATANTER KUMAR

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s)

Ms. Indu Malhotra, Sr. Adv.

Mr. G. Balaji, Adv.

Ms. Mahalakshmi Pavani, Adv.

Mr. Mukesh Kumar Singh, Adv. for

M/S.Mahalakshmi Balaji & Co., Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

We do not see any reason to interfere with the impugned judgment
passed by the High Court.

In the impugned judgment, the High Court has only remanded the
matter to the trial Court. The contention is that the remand order, as
indicated in para 9 of the impugned judgment, is restrictory.

In our view, it is not the principal issue. We have no doubt
that the learned trial Court will consider the entire judgment of the
High Court while dealing with the matter.

The special leave petition is accordingly dismissed.

| (G. SUDHAKARA RAO)
| COURT MASTER

| | (SHARDA KAPOOR)
| | COURT MASTER

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