

Seni Chettiar Vs. Santhanathan Chettiar

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SooperKanoon Citation : sooperkanoon.com/780229

Court : Chennai

Decided On : Aug-21-1902

Reported in : (1903)13MLJ70

Appellant : Seni Chettiar

Respondent : Santhanathan Chettiar

Judgement :

1. Section 497 of the Civil Procedure Code has no application to this case. Damages under that section must be awarded by an order of the court in the suit and can only be given if it appears to the court deciding the suit that there was no probable ground for instituting the suit. We agree with the Subordinate Judge in the view he has taken of this case in paragraph 7 of his judgment and dismiss the appeal with costs.