

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2015

CORAM :

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

S.A.No.564 of 2009

and

M.P.No.1 of 2010

1.A.D.Jayaram

2.J.Niranjan

... Appellants/Plaintiffs

Vs.

1.Bharathi Srikantan

2.H.Raviprakash

3.The Residents of Guru Vilas Area,
Golf Club Road,
Ootacamund

rep. by

a)Vasu

b)Rangan (deceased)

c)Muruthy

d)Narayanan

e)Padma

f)R.Raghu

g)Ramesh

... Respondents/3rd Plaintiff 1st & 2nd Defendant

Prayer:- This Second Appeal has been filed under Section 100 of Civil Procedure Code against the judgment and decree dated 21.12.2006 passed in A.S.No.20 of 2005 on the file of the learned Sub-ordinate Judge, Nilgiris at Udhagamandalam confirming the judgment and decree dated 31.01.2005 made in O.S.No.140 of 1998 on the file of the learned District Munsif, Udhagamandalam.

For Appellants : Mr.C.Seethapathy

For Respondent-1 : No Appearance

For Respondent-2 : Mr.Sathish Parasaran

For Respondent-3 : No Appearance

J U D G M E N T

The learned counsel for the appellants seek permission of this Court to withdraw the appeal and he has also made an endorsement to that effect.

2.In view of the submission made by the learned counsel for the appellant and the endorsement so made, this Second Appeal is dismissed as withdrawn. Consequently, connected Miscellaneous Petition is also closed. No costs.

3.However, it is represented by the learned counsel for the appellants that a direction may be issued to the trial Court to return the original documents. Considering the said submission made by the learned counsel for the appellants and as records are not received from the trial Court, the trial Court is directed to return the original documents to the plaintiffs/appellants.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

DP

To

1. The Sub-ordinate Judge,
Nilgiris at Udhagamandalam.
2. The District Munsif,
Udhagamandalam.
(With Direction to return the original
documents to the Appellants and Plaintiffs)

+1cc to Mr.P.R.Ramani, Advocate, S.R.No.19192

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S.A.No.564 of 2009
& M.P.No.1 of 2010

UG(CO)
CA(10/04/2015)