

In the High Court of Judicature at Madras

Dated: 24.08.2015

Coram:

The Honourable Mr. SANJAY KISHAN KAUL, Chief Justice
and
The Honourable Mr. Justice T.S. SIVAGNANAM

Original Side Appeal No. 338 of 2013

Shankar Sundaram

.. Appellant

vs.

1. Mallika Srinivasan
2. Amalgamations Private Limited
861, Dr. Radhakrishnan Salai
Chennai 600 004.
3. A. Sivasailam (Deceased)
4. A. Krishnamoorthy
5. Seetha Venkatramani
6. Lakshmi Narayanan
7. Murali Venkatraman
8. Master Shriram, Minor
rep. by father & natural guardian
Murali Venkatraman
No.126, Dr. Radhakrishnan Salai
Chennai 600 004.

.. Respondents

Prayer: Original Side Appeal filed under Order 36, Rule 11 of Original Side Rules read with Clause 15 of the Letters Patent, to set aside the order and decree dated 30.04.2013 passed by the learned Single Judge, in Application No. 4588 of 2012 in C.S. No.727 of 2001 on the file of this Court.

For Appellant : Mr. Ravi

for M/s. Rugan & Arya

For Respondents : Mr. R. Murari, Sr. Counsel

for Mr.Thriyambakkannan for R7

Mr. C.S. Vaidyanathan, Sr. Counsel

for Mr.Thriyambakkannan for R1

Mr. Krishna Srinivasan

for Mr/s.S.Ramasubramanian

Associates for R2 & 4 to 6

J U D G M E N T

(Delivered by The Hon'ble The Chief Justice)

The learned counsel for the parties, in terms of the discussions held between themselves and using their wisdom, have been able to agree to an order in the present appeal as a consent order. We record the consent order, as under:

(i) Leave is granted to respondent nos. 1, 7 & 8/defendants 6 to 8 to file additional written statement, if they so desire, within three weeks from the date of receipt of the present judgment;

(ii) It will be open for the said respondents/defendants to move the learned Single Judge for framing additional issues and to persuade the learned Single Judge for trying any of the issues as a preliminary issue;

(iii) The said respondents/defendants do not press Application No.4588 of 2012 in C.S.No.727 of 2001.

2. The result of the aforesaid is that the application on which the impugned order has been passed stands withdrawn and consequently, the impugned order would also automatically go.

3. The appeal is disposed of with the aforesaid agreed terms, leaving the parties to bear their own costs.

4. The dispute being a family dispute, we can only hope that better sense prevails over the parties to have the same approach in the endeavour to resolve the dispute amicably.

Sd/--
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

ATR

To

1. The Sub-Assistant Registrar,
(Original Side)
High Court, Madras.

+1 cc to M/s. Ragan & Arya, Advocate, sr.44787
+1 cc to M/s. Ramasubramanian & Associates, sr.44965
+1 cc to Mr.Thriyambak J. kannan, Advocate, sr.45025

O.S.A. No. 338 of 2013

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