

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2016

CORAM

THE HONOURABLE MR. **JUSTICE P.R.SHIVAKUMAR**

CRP.(PD) No.4581 of 2015 and

M.P.No.1 of 2015

Y.J.Natarajan

... Petitioner

Vs.

1. Tmt.Sarojini
2. Tmt.Meera
3. Tmt.Usha
4. Mr.Karthik
5. Mr. Y.K.Moorthy

... Respondents

Civil Revision Petition filed against the Judgment and Decree of the learned Subordinate Judge, Udthagamandalam in C.M.A.No.02 of 2014 dated 22.09.2015 reversing the fair and decreetal order of the learned District Munsif, Coonoor in I.A.No.208 of 2013 in O.S.No.45 of 2013 dated 10.10.2013.

For petitioner : Mr. J.Franklin
For respondents : Mrs.AL.Gandhimathi

ORDER

The learned counsel for the petitioner submits that the civil revision petition may be dismissed as withdrawn with a direction to the trial Court with an observation that the trial court while deciding the main case should not be influenced by any of the observations made by the lower Appellate Court in its

Judgment dated 22.9.2015 in C.M.A.No.2 of 2014 which has been challenged in

P.R.SHIVAKUMAR, J.

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this revision. An endorsement to that effect has been made. Endorsement is recorded.

2. The learned counsel for the respondents also does not have any objection for incorporating such an observation.

3. In view of the above, the civil revision petition is dismissed as withdrawn. The trial court shall not be influenced by any of the observations made by the lower Appellate Court in its Judgment dated 22.9.2015 in C.M.A.No.2 of 2014 and decide the main suit solely on the merits of the case based on the evidence to be adduced in the suit. No costs. Consequently, connected miscellaneous petition is closed.

03.03.2016

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To

1. The Subordinate Judge, Udhagamandalam
2. The District Munsif, Coonoor

