

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.07.2016

CORAM

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**

C.S.No.71 of 2015

Magick Woods Exports Private Limited  
(MWEPL) rep. by  
Authorised Signatory

... Plaintiff

Vs

- 1.State Bank of India  
rep. by Deputy General Manager,  
Overseas Branch,  
No.86 (Old No.21), Rajaji Salai,  
Chennai - 1.
- 2.Foshan Sourcever Company Limited  
rep. by General Manager,  
1606, Chuangxin Mansion,  
Tian An Cyber Park, Jianping Road,  
Foshan, Guangdon, China.
- 3.Foshan Sourcever (CN) Co. Limited  
rep. by General manager,  
Flat/RM 1301 13F, CRE Buildings,  
303, Hennessy Road, Wanchai,  
Hong Kong, China.

4.Leon Jiang

... Defendants

Plaint filed under Order VII Rule 1 C.P.C.

For Plaintiff : Mr.A.Jenasenan

For Defendants : Mr.Balamurali  
for M/s.Sivakumar & Suresh

**JUDGMENT**

Learned counsel for the plaintiff seeks permission to withdraw the suit with liberty to file a fresh suit against the defendants 2 to 4 alone. He has also made an endorsement to that effect.

2.It is seen that defendants 2 to 4 are yet to be served. Therefore, there cannot be any objection on behalf of the first defendant, who is sought to be given up even in the fresh suit, which is likely to be filed at the instance of the plaintiff.

3.In view of the endorsement made by the learned counsel for the plaintiff, the Civil Suit is dismissed as withdrawn with liberty to file a fresh suit by arraying only defendants 2 to 4 as defendants. No costs.

**21.07.2016**

mmi

To

The Sub Assistant Registrar,  
Original Side,  
High Court, Madras.

**M.M.SUNDRESH,J**

mmi

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**21.07.2016**