

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2016

CORAM

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

C.S.No.268 of 2013
and O.A.No.295 of 2013

G.Muthukumar

... Plaintiff

Vs

1. M.B.Lashman
2. M.L.Pranav, Minor
Represented by his father M.B.Lashman
3. M.L.Akshay Krishna, Minor
Rep by his father M.B.Lashman
4. D.Rajesh

...Defendants

Plaint under Order IV Rule of Original Side Rules read with Order VII Rule 1 of C.P.C. praying to pass a judgment and decree against the defendants (a) to pass decree for specific performance by directing the defendants 1 to 3 to receive the balance sale consideration of Rs.1,45,00,000/- and direct the first defendant to execute the sale deed in respect of property situated at ground bearing old Door No.1/3 New No.58, Acharappan Street, Sowcarpet, Chennai 600 079 bearing R.S.No.5989 (southern part) O.S.No.5369 C.C.NO.5037 measuring 1675 sq.ft which is schedule mentioned property in favour of the plaintiff failing which the Court may execute the sale deed in his favour or

alternatively to refund the advance amount of Rs.5,00,000/- with interest to plaintiff (b) to declare the sale agreement bearing document No.273 of 2013 dated 07.03.2013 executed by the first defendant on behalf of the second and third defendant in favour of the fourth defendant registered in the Office of Sowcarpet Sub Registrar Office is null and void and not binding on the plaintiff and (c) to cost of the suit.

For Plaintiff : Mr.V.Manisekaran

For Defendants 1 to 3: Mr.Nagu Sah

For Defendant 4 : No Appearance

JUDGMENT

Today, when the matter is taken up for hearing, the learned counsel for the plaintiff stating that the matter has been settled out of Court between the parties and seeks permission of this Court to withdraw the suit and he has also made the following endorsement.

"The case has been settled out of Court. Hence the plaintiff is not pressing the suit. Suit may be withdrawn. Half of the Court fee may be ordered to refund"

3. In view of the endorsement made by the learned counsel for the plaintiff, the Civil Suit is dismissed as settled out of Court. Registry is directed to refund half of the Court fee to the plaintiff. Consequently, connected original application is closed.

11.11.2016

srn

PUSHPA SATHYANARAYANA.J

srn

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