

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON'BLE SMT JUSTICE ANIS

APPEAL SUIT No. 738 of 2006

JUDGMENT: (*Per VRS,J*)

This is an appeal arises out of the dismissal of a suit for partition filed in O.S.No.231 of 2000, dated 05.07.2006.

2. Pending appeal, the 2nd appellant died on 10.05.2009 leaving behind the 1st and 3rd appellants as his legal representatives. Subsequently, the 1st appellant also died on 09.05.2016 and his legal representatives have been brought on record as the appellants 4 to 6.

3. In other words, there are now four appellants, who are appellants 3 to 6, as the appellants 1 and 2 have already died. These appellants, namely, the appellants 3 to 6, have filed individual affidavits to the effect that the suit claim was settled out of Court. Therefore, they seek to withdraw the appeal.

4. We have perused the affidavits of the appellants 3 to 6.

5. In the light of the averments contained in the affidavits, the Appeal Suit is dismissed as settled out of Court.

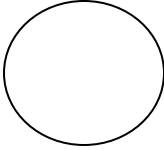
As a sequel, miscellaneous petitions if any pending in the appeal shall stand dismissed.

V. RAMASUBRAMANIAN, J

ANIS, J.

14th September, 2016
cbs





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