

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.10.2017

CORAM

THE HONOURABLE Mr. JUSTICE M.M.SUNDRESH
and
THE HONOURABLE Mr. JUSTICE M.SUNDAR

O.S.A.No.132 of 2017
and CMP.No.8706 of 2017

M.Aruna,
Proprietrix,
M/s.MTG Enterprises,
No.4, 5th Main Road,
Kannan Nagar,
Madipakkam,
Chennai - 600 091.

.. Appellant

vs

1.S.A.Salamath Begum
2.A.A.Abdul Khaliq
3.A.A.Abdul Raziq
4.Mafaz Mohammed
5.Zahira Shaw
6.Fathimathu Fakiha,
7.Fazeela Shafiq
8.Naseema Beevi
10.Shafiq Mohamed Shah
11.Zarook Syed Shah
12.Kathijathu Nasreen
13.Aminath Sithi Mariam
14.Faiza Hameed

.. Respondents

(Respondents 1 to 8 & 10 to 14 represented
by their duly constituted Power Agent
Safiq Mohammed Shah)

Appeal filed under Order XXXVI, Rule 9 of Original Side
Rules read with Clause 15 of Letters Patent against the order
dated 19.01.2017 in O.A.No.752 of 2016 on the file of this Court.

For Appellant	..	Mr.N.S.Mohamed Habeeb Raja for M/s.Arulselvam Associates
For Respondents	..	Mr.V.Kuberan for M/s.Rank Associates

JUDGMENT

(Delivered by M.M.SUNDRESH, J.)

After some arguments, Mr.V.Kuberan, learned counsel appearing for the respondents would submit that application being O.A.No.752 of 2016 filed by the respondents before the learned Single Judge may be permitted to be withdrawn, leaving all the issues open to be decided by the appropriate forum. Learned counsel for the respondents has also made an endorsement.

2. Considering the above said submission made by the learned counsel for the respondents, we permit the respondents to withdraw O.A.No.752 of 2016.

3. Accordingly, we make it clear that the order of the learned Single Judge made in O.A.No.752 of 2016 dated 19.01.2017 stands set aside. All the issues are left open to be decided before the appropriate pending proceedings/appropriate forum.

4. The appeal is, thus, disposed of in terms aforesaid, leaving the parties to bear their own costs. Consequently, CMP.No.8706 of 2017 is closed.

Sd/-
Asst.Registrar (CS V.)

/true copy/

Sub Asst. Registrar

bbr

To

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

+ 1 cc to M/s.Rank Associates, Advocate, SR.75991

+ 1 cc to M/s.Arulselvam Associates, Advocate, SR.76046

O.S.A.No.132 of 2017

CP(CO)
NR 13/10/2017