

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2017

CORAM

THE HONOURABLE MR.JUSTICE RAJIV SHAKDHER
AND
THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

ORIGINAL SIDE APPEAL NO.164 OF 2017
AND

C.M.P.NO.11052 OF 2017

1. N.Jayamurugan
2. J.Geetha

... Appellants

Vs.

1. S.Dhandapani
2. S.Govindasami
3. S.Madhan
Lakshmi Subbiah @ Lakshmi (deceased)
4. K.P.Subbiah @ Subbiah Gounder

... Respondents

Prayer: Appeal filed under Order XXXVI Rule 11 of the O.S.Rules read with Clause 15 of the Letters Patent to set aside the order dated 21.02.2017 made in Application No.871 of 2017 in C.S.No.431 of 2004.

For Appellants : Mr.AR.L.Sundaresan, Senior Counsel
for Ms.AL.Ganthimathi

For Respondents: Ms.Valsala

JUDGEMENT

(Judgement of the Court was delivered by RAJIV SHAKDHER, J.)

1. Mr.AR.L.Sundaresan, learned senior counsel appearing for the appellants, on instructions, submits that he does not wish to press the instant appeal.

1.1. It is to be noted that the said appeal arises out of order passed in Application No.871 of 2017 preferred in C.S.No.431 of 2004. This application, has been filed, by the appellants, to remove from record the testimony of D.W.1. The

said application was dismissed by the learned Single Judge vide order dated 21.02.2017.

2. Since, this appeal has not been pressed, no further orders are called for. The appeal is accordingly dismissed as not pressed. Consequently, the connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

kk

To

The Sub Assistant Registrar
(Original Side)
High Court,
Madras-104.

+1cc to Mr.K.S.Kumar, Advocate, S.R.No.51922

+1cc to Ms.AL.Ganthimathi, Advocate, S.R.No.52410

O.S.A.No.164 of 2017 and
C.M.P.No.11052 of 2017

MSM(CO)
CS/16/08/17

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