

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2017

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

C.S.No.841 of 2014

1.K.Jayanthi Kumar
2. K. Subha

... Plaintiffs

Versus

1. S. Suthanthira Devi
2. Kavitha
3. V. Kala

... Defendants

Plaint filed under Order IV Rule 1 of Original Side Rules r/w Order VII Rule 1 of C.P.C. praying (a) to pass a preliminary decree for partition of the plaint schedule mentioned properties by holding that the plaintiffs are jointly entitled to 1/4th share and interest in the plaint schedule mentioned properties and allot 1/4th share therein to the plaintiffs; (b) to appoint an Advocate Commissioner to partition the plaint schedule "A" properties by metes and bounds and deliver 1/4th share in the each of the plaint Schedule "A" properties to the plaintiffs jointly; (c) For costs of the suit.

For Plaintiffs : Mr.B.Harikrishnan
For Defendants : Mr.S.Ilamparithi

JUDGMENT

The suit has been filed seeking partition and separate possession. The first plaintiff is the mother and the second plaintiff is the daughter.

2. On 04.08.2017, the plaintiffs made the following endorsement.

" The plaintiffs may be permitted to withdraw the suit. Therefore, the suit may be dismissed as withdrawn".

It was signed by the learned counsel for the plaintiff. However, this endorsement was signed only by the first plaintiff K.Jayanthi.

3. Today, a memo has been filed on behalf of the second plaintiff signed by her and also by the learned counsel for the plaintiffs stating that as she worked as an Accountant in Tidle Park, she could not get leave from her Company. Therefore, she prayed that the Memo may be recorded and the suit may be dismissed as withdrawn.

4. Since both the plaintiffs have made necessary endorsements to withdraw the suit, the suit is dismissed as withdrawn. No costs. The plaintiffs are entitled for refund of entire court fees on proper identification.

srn

09.08.2017

Note: Issue order copy on 16.08.2017



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C.V.KARTHIKEYAN, J.

srn



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