

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.08.2017

CORAM

THE HONOURABLE MR.JUSTICE S.BASKARAN

S.A.No.729 of 2013

P.Appvavoo

...Appellant/Plaintiff

..Vs..

- 1.The Commissioner, Hindu Religious and Charitable Endowment Board, Chennai-34.
 - 2.The Assistant Commissioner, Hindu Religious and Charitable Endowment Board, Salem
 - 3.The Inspector, Hindu Religious and Charitable Endowment Board, Kailasanathar Koil, Tiruchengode
 - 4.The District Collector, Namakkal
 - 5.The Revenue Divisional Officer, Tiruchengode
 - 6.The Tahsildar, Tiruchengode
 - 7.The Village Administrative Officer, Agaram Village, Tiruchengode Taluk.
 - 8.The Planning Officer, D.R.D.A., Namakkal
 - 9.The Block Development Officer, Elachipalayam Union, Tiruchengode Taluk.
- Respondents/Defendants

Prayer: This Second Appeal has been filed under Section 100 of Civil Procedure Code., praying against the judgment and decree passed in A.S.No.9 of 2011 dated 22nd December 2011 on the file of Subordinate Judge, Tiruchengode, confirming the judgment and decree in O.S.No.201 of 2008 dated 25th October 2010 on the file of District Munsif Court, Tiruchengode.

For Appellant	: Mr.W.C.Sreedhar for Mr.K.Vellayaraj
For Respondents	: Mr.Jayaram Raj, G.A

JUDGMENT

The learned counsel for the appellant seeks permission of this Court to withdraw the appeal and he has also made an endorsement to that effect. The said endorsement reads as follows:-

"The main prayer in the suit has become infructuous since sale has been effected. It is prayed the appellant may be permitted to approach the appropriate Court to question the procedure of sale. Hence, this Second Appeal may be withdrawn".

2. In view of the submission made by the learned counsel for the appellant and the said endorsement so made, this Second Appeal is dismissed as withdrawn with liberty to file fresh suit in accordance with law. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1.The Subordinate Judge, Tiruchengode

2.The District Munsif Tiruchengode.

copy to
The Section Officer
VR Section High Court Madras

+1 cc to Mr.K.Vellayaraj Advocate sr 61165

S.A.No.729 of 2013

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