

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.06.2017

CORAM

THE HONOURABLE Mr.JUSTICE P.KALAIYARASAN

C.S.No.833 of 2010
and O.A.No.1054 of 2010

1.L.B.Smitha
2.P.R.Lollitha
3.K.G.Pappitha
4.B.Saaru Rupa
5.B.Hema Rupa

... Plaintiffs

Vs

1.S.S.Saroja
2.C.R.B.Suresh Babu
3.C.R.Kasturi
4.Sarayou Basanth
5.The Manager,
M/s. State Bank of India,
Commercial Branch,
SAM Branch, 8th Floor,
No.157A, Anna Salai,
Chennai-2.

... Defendants

Plaint filed under Order VII Rule 1 of CPC read with Order IV Rule 1 of Original Side Rules praying to pass a judgment and decree against the defendants;

- (a) for partition and separate possession of the plaintiffs' 30/72 share in the schedule properties by metes and bounds against the defendants 1 to 4;
- (b) to appoint an Advocate commissioner to divide the schedule properties by metes and bounds and allot the plaintiffs' 30/72 share in the schedule properties;

- (c) for permanent injunction restraining the fifth defendant their men agents servants or any person authorized on their behalf from in any way bringing the plaintiffs' undivided 30/72 share in the schedule properties for auction sale or from in any way disposing off the plaintiffs' undivided 30/72 share in the suit schedule properties in respect of the dues payable by the third defendant and C.R.Basanth Babu in pursuant to the recovery certificate dt.24.08.2004 issued in DRC No.123 of 2004 in O.A. No.1285 of 2001 and DRC.No.124 of 2004 in O.A.No.1286 of 2001 on the file of Debt Recovery Tribunal II Chennai and
- (d) directing the defendants to pay the cost of the suit.

For Plaintiffs : Mr.N.Varadarajan
For Defendants : Mr.K.Sankaran for D5

J U D G M E N T

Learned counsel for the plaintiffs seek permission of this Court to withdraw this Suit and he has also made an endorsement to that effect on the plaint.

2. In view of the endorsement made by the learned counsel for the plaintiffs, this Suit is dismissed as withdrawn. No costs. Consequently, connected Original Application is closed.

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gya

Index : Yes/No

P.KALAIYARASAN, J.

gya

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