

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAI SWAMY

A.S No.951 of 2004 &
C.M.P.No.14168 of 2004

1.Farangise Khaleeli (deceased)
2.Ghulam Hussain Khaleeli
3.Fahimeh Shirazie Appellants/2nd Defendant

v.

1.Pranav S.Mehta
2.Praveena S.Mehta
3.Neeta S.Mehta
4.Azezeh Khaleeli
5.Razieh Roustayan
6.Raza Khaleeli
7.Taher Khaleeli Respondents/Plaintiff
(Appellants 2 & 3 and respondents 4 to 7
brought on record as LRs of deceased sole
appellant vide order of court dated 11.06.2010
made in C.M.P.No.1262 to 1264/2009)

Appeal filed under Section 96 of the Code of Civil
Procedure judgment and decree dated 11.12.2003 made in
O.S.No.8486 of 1997 on the file of IV Additional Judge, City
Civil Court, Chennai.

For Appellants : Mr.C.A.Diwakar

For Respondents : Mr.T.V.Sekar - for R1
Mr.B.Ravi Raja - for R2, & R3
Mr.K.H.M.Afzal - for R4

JUDGMENT

Mr.C.A. Diwakar, learned counsel appearing for the
appellants sought permission of this court to withdraw the
Appeal pursuant to the letter written by the appellants to him.
The learned counsel also made an endorsement to that effect in
the memorandum of grounds.

2. Mr.B.Ravi Raja, learned counsel appearing for the respondents 2 and 3 submitted that the respondents 2 and 3 may be permitted to withdraw the amount lying to the credit of O.S.No.8486 of 1997 on the file of IV Additional Judge, City Civil Court, Chennai.

3. In that view of the matter, the learned counsel appearing for the appellants submitted that he has no objection for permitting the respondents 2 and 3 to withdraw the amount, pursuant to the letter given by the appellants to him.

4. In view of the submissions made by the learned counsel on either side, the Appeal is dismissed as withdrawn and the respondents 2 and 3 are permitted to withdraw the amount lying to the credit of O.S.No.8486 of 1997 on the file of IV Additional Judge, City Civil Court, Chennai. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

Rj
To

The IV Additional Judge
City Civil Court
Chennai.

Copy to

The Section officer
VR Section, High Court, Madras (2 copies)

+1 CC to Mr.K.H.M. Afzal, Advocate sr 91543.
+1 CC to Mr.C.A. Diwakar, Advocate sr 91385.
+1 CC to Mr.B. Raviraja, Advocate sr 91553.

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SVI (CO)
SP(22/01/2018)