

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 23.4.2018

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THE HONOURABLE MR.**JUSTICE N.SATHISH KUMAR**

**C.S. No.664 of 2017 and
A.No.825 of 2017, 1124 & 3619 of 2018**

N.Padmanaban

.. Plaintiff

Vs.

1. T.Narayanan

2. N.Khantha

3. R.Mohana

.. Defendants

The suit is filed under Order VII Rule 1 of C.P.C. r/w
Order IV Rule 1 of O.S. Rules for judgment and decree;

(i) to pass preliminary decree directing equitable partition of
property described in schedule 'A' to plaintiff into 1/2 (half) equal
shares as between plaintiff and the first defendant and to allot half
(1/2) share thereon to plaintiff for his separate use and possession;

(ii) consequently to declare the purported settlement deed,
dated 23.1.2017 vide its Register No.127/2017 in the office of Sub
Registrar at Ashok Nagar executed by 1st defendant to and in
favour of the third defendant is void ab initio and non est in eye of
law and in any event does not bind or affect to the extent of
plaintiff's 1/2 share on property as described in schedule 'A'
thereon;

(iii) granting permanent injunction restraining the defendants,
their men, agent or anyone through them from disturbing or

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interfering with plaintiff's peaceful possession and enjoyment
including of electricity and water connection) of first floor of
property as described in schedule 'A' hereto along with parking in
any manner without recourse to law;

(iv) to pass orders for equitable share of fixed deposits
described in schedule 'B' to plaintiff into 1/2 (half) equal shares as
between plaintiff and the first defendant and for costs.

For Plaintiff : Mr.R.Udhyakumar
For Defendants 2 &3: Mr.V.Suthakar

JUDGMENT

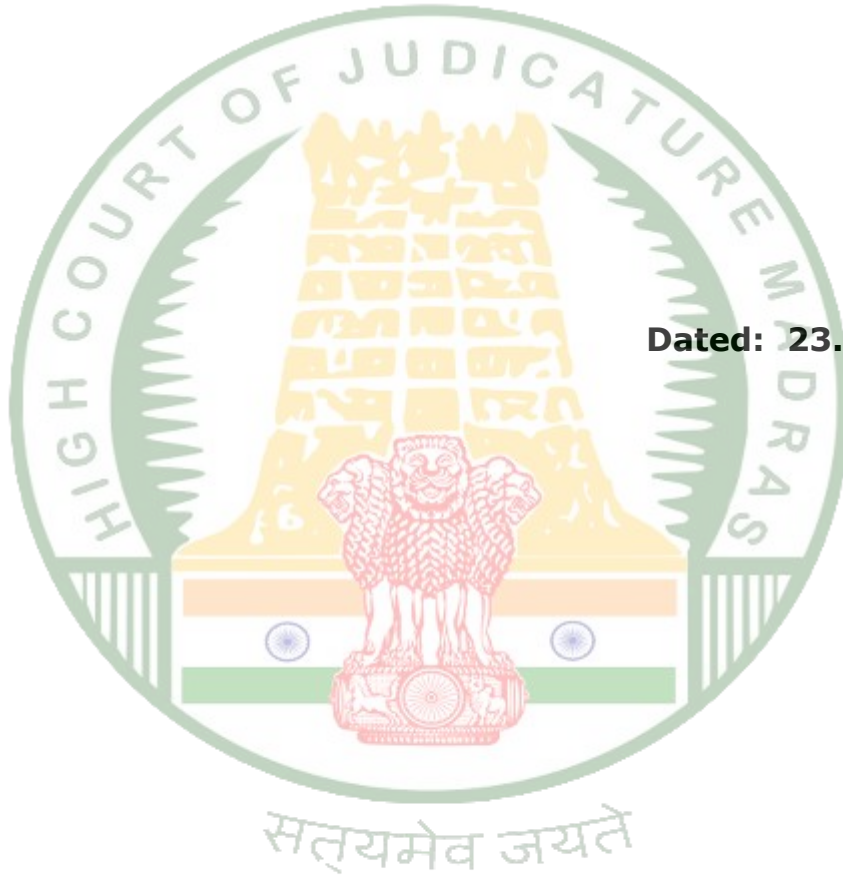
Counsel for the plaintiff seeks to withdraw the suit. He
has also made an endorsement to that effect in the plaint.

2 Hence, the suit is dismissed as withdrawn. No costs.
Consequently, all the applications are closed.

Speaking/Non Speaking order
Index : Yes/No
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