

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.03.2018

Coram

The Hon'ble Mr. Justice R. Subbiah
and
The Hon'ble Mr. Justice P. D. Audikesavalu

O.S.A.No.61 of 2018 & C.M.P.No.3414 of 2018
and
O.S.A.Sr.No.8400 of 2018 & C.M.P.No.4995 of 2018

A.D. Venkatasubramanyan Appellant in both Appeals/
third party/third party

Vs.

1. Vanbey Holdings Pvt. Ltd.,
rep. by its Managing Director, I. Varkey,
Having its registered Office at 250,
Anna Salai, Chennai R.1 in O.S.A.No.61 of 2018/
Judgment Debtor/Plaintiff
2. Dr. B.Kaleel Ahamath,
Son of Haji Abdul Rahim,
rep. by his Power of Attorney Agent,
Parveen Kaleel, No.8, 6th Street,
Gopalapuram, Chennai - 600 086.
R.1 in O.S.A.Sr.No.8400 of 2018/
I Respondent/Decree Holder/
Defendant
- 3.. The City Centre Point
Having its registered Office at
601, Anna Salai,
Chennai - 600 006. R.2 in O.S.A.No.61 &
O.S.A.Sr.No.8400 of 2018/
Judgment Debtor/Plaintiff
4. Gemini Arts Pvt. Ltd.
Having its registered Office at
601, Anna Salai,
Chennai - 600 006. R.3 in O.S.A.No.61 &
O.S.A.Sr.No. 8400 of 2018/
Judgment Debtor/Plaintiff

5. Green Gardens Pvt. Ltd.,
Having its registered Office at
601, Anna Salai,
Chennai - 600 006.

R.4 in O.S.A.No.61 &
O.S.A.Sr.No. 8400 of 2018/
Judgment Debtor/Plaintiff

These Original Side Appeals are filed under Order XXXVI Rule 1 of the O.S. Rules read with Clause 15 of the Letters Patent to set aside the judgment and decree, dated 19.12.2017, made in E.P.Nos.194 of 2004, in C.S.No.1338 of 1992 & E.P.No.193 of 2004, in C.S.No.1370 of 1993, respectively.

For Appellant : M/s. Sharath Chandran
in both O.S.As
For Respondent-1
in both O.S.As. : Mr.K.F. Manavalan

COMMON JUDGMENT

(Order of the Court was delivered by R.Subbiah,J.)

Learned counsel appearing for the appellant seeks permission of this Bench to withdraw these Original Side Appeals. In this regard, he has also made endorsements on the reverse of both the Appeals today, and the endorsement made in O.S.A.No.61 of 2018, is extracted hereinbelow:-

"The Appellant seeks the leave of this Hon'ble Court to withdraw the Appeal with liberty to raise the points herein in the Application under Order 21 Rule 68, pending before the Learned Single Judge".

2. Recording the endorsements made by the learned counsel for the petitioner, this Court, without expressing any opinion with regard to the merits of the issue, is permitting the appellant to withdraw the Original Side Appeals. Accordingly, both the Original Side Appeals are dismissed as withdrawn. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS IV)

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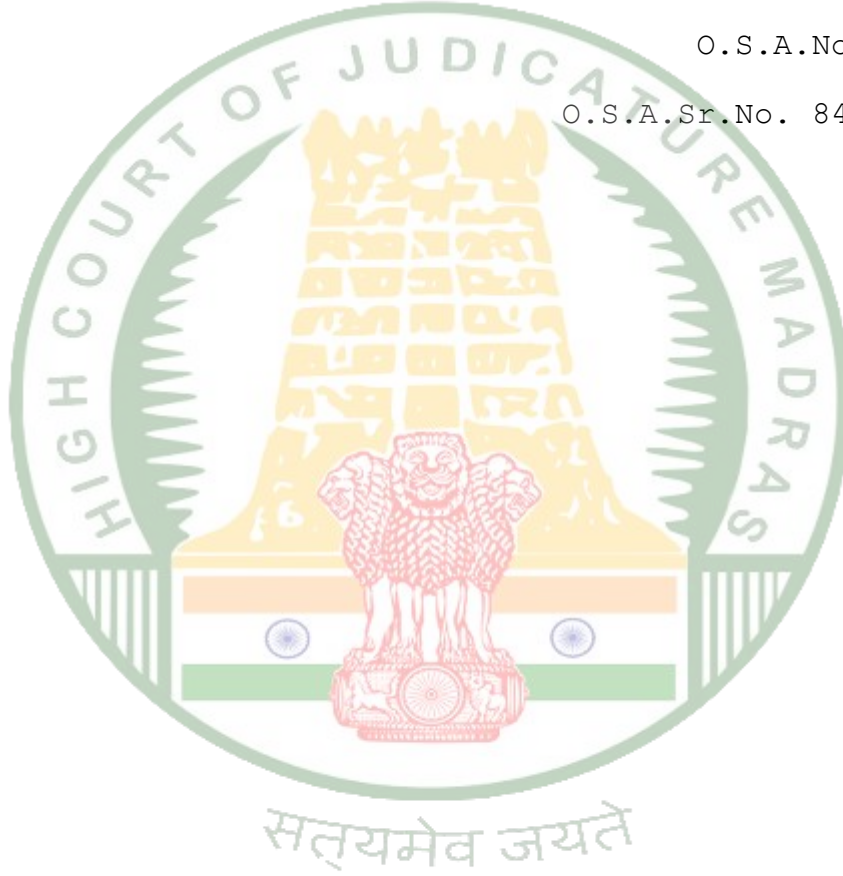
Sub Assistant Registrar

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+2cc to Mr. K.F. Manavalan, Advocate Sr.No.17897 & 17898

PVS (CO)
sm:6.4.2018

O.S.A.No.61 of 2018
&
O.S.A.Sr.No. 8400 of 2018



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