

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2018

CORAM

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

C.S.No.178 of 2018  
and  
O.A.Nos.245 & 246 of 2018

Mr.Sartaj Ansari  
Rep. by her Power of Attorney Agent  
Ashiq Mohamed ... Plaintiff

Vs.

A.Shaik Allahudeen ... Defendant

**Prayer:** The Civil Suit has been filed under Order IV Rule 1 of the O.S.Rules read with Order VII Rule 1 of C.P.C. 1908, praying (a) for a permanent injunction restraining the defendant or his agents, servants men or anyone claiming under or through him and / or authorised by him from in any manner interfering with the plaintiff's peaceful possession and enjoyment of the suit property, more fully described in the Schedule 'B' to the plaint.

(b) for a permanent injunction restraining the defendant or his agents, servants, men or anyone claiming under or through him and / or authorised by him from in any manner interfering with the Plaintiff's easementary right of ingress and egress through the 20' width common passage running East to West in between the properties of the Plaintiff and the Defendant, more fully described in

Schedule 'B' and 'C' respectively hereunder, as shown in the rough Plan.

For Plaintiff : Mr.T.Susindran  
For Defendant : No appearance

### **JUDGMENT**

The learned counsel for the plaintiff submitted that the matter has been settled out of court in between the parties and seeks permission of this Court to withdraw the suit. The learned counsel further requested for refund of half of the Court fee paid.

2. In view of the above, the civil suit is dismissed as withdrawn and the plaintiff is entitled to the refund of half of the court fee paid and less the deduction as per law. Consequently, connected O.As are closed. No costs.

**04.04.2018**

kas

Index : yes / no

Internet : yes / no

Speaking / non speaking

WEB COPY

**N.SATHISH KUMAR, J.**

kas



**C.S.No.178 of 2018**

**WEB COPY**

**04.04.2018**