IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2018

CORAM

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**

C.S.No.159 of 2011

S.Vasantha Kumari ... Plaintiff

..Vs..

1.Mangayarkarasi
2.K.Panneerselvam
3.Manimozhi
4.Estate of K.Sundar
By its Inter meddlers
(1)Rajani
(2)Roshini

5.K.Anand
6.V.S.Subramanian
7.S.Marimuthu
8.K.Senthilvadivu
9.S.Manimegalai
10.A.Umapathy
11.U.Meera

... Defendants

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Plaint filed under Order IV Rule 1 of O.S.Rules r/w Order VII Rule 1 of C.P.C, 1908, praying to pass a judgment and decree:-

(a)For partition and separate possession of the plaintiff's share in the Schedule-I property more fully described in Schedule-II by metes and bounds more fully described in schedules-I & II hereunder;

(b)For permanent injunction restraining the defendants 8 to

http://www.judis.nic.in

11, their men, agents, servants or anyone claiming through them from encumbering, alienating, dealing with or creating any charge, mortgage, lien over the Schedule-I property without reference to the plaintiff's share which incidentally includes the Schedule-II property belonging to the plaintiff;

(c)For recovery of damages at the rate of Rs.10,000/- per month from the date of the plaint till the date of actual surrender of the premises to the plaintiff in respect of Schedule-II property;

(d)For permanent injunction restraining the defendants 9 to 11, their men, agents, servants or anyone claiming through them from altering the physical features of the property more fully described in the schedule-II property;

(e)For mandatory injunction directing the defendants 9 to 11 to demolish the existing structure and restore the property to its original status as on the date of partition amongst the heirs of late S.Krishnamurthy on 27.06.2000;

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(f)Grant such further or other reliefs, and

(g)Costs of the suit.

For Plaintiff : Mr.R.Thiagarajan

For Defendants : Mr.P.R.Balasubramanian for D-8

Mr.S.Ratnasabapathy for D-9

Mr.K.Azhagu Raman for D-10 & 11

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J U D G M E N T

Mr.R.Thiagarajan, learned counsel appearing for the plaintiff has made the following endorsement in the plaint.

> "The suit has been settled out of Court by the 10th and 11th defendant out side the Court. Hence, the suit may be dismissed as withdraw."

2.In view of the same, the suit is dismissed as withdrawn. All interim orders granted by this Court shall stand vacated.

16.02.2018

KP

Index : Yes/ No

Internet : Yes/ No

Speaking Order/ Non-speaking Order

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To

The Sub Assistant Registrar,
Original Side,
High Court,
Madras.

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R.SUBRAMANIAN, J.

KP

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