

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2018

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.S.No.599 of 2011

1.D.Sunil Kumar
2.R.Subodh

... Plaintiffs

Versus

Mani Megalai

... Defendant

Plaint filed under Order IV Rule 1 of Original Side Rules r/w. Order VII Rule 1 of C.P.C. praying to pass a judgment and decree:

(i) directing the defendant to execute the sale deed in favour of the plaintiffs or their nominees by receiving balance sales consideration of Rs.39,00,000/- as per the agreement dated 22.10.2010 under Specific Performance Act;

(ii) Consequential permanent injunction restraining the defendant not to alienate the suit schedule property till the disposal of the suit and

(iii) for costs of the suit.

For Plaintiffs : Mr.A.Balasingh Ramanujan

JUDGMENT

A Memo has been filed by the plaintiffs signed by the learned counsel for the plaintiffs, stating that the subject matter of the suit is settled out of court between the parties. They had sought for withdrawal of the suit. The memo to that effect reads as follows:

“ Therefore, it is prayed that this Hon'ble Court may be pleased to record the memo and dismiss the suit as withdrawn as settled out of court and pass such further or other orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice. ”

2. In view of the same, the suit is dismissed as settled out of Court.

No costs.

19.02.2018

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Index : No

Internet : Yes

Non-speaking Order

List of the witnesses examined on the side of the plaintiffs:

PW1 - D.Sunil Kumar

List of Exhibits marked on the side of the plaintiffs:

<i>Sl. No.</i>	<i>Exhibits</i>	<i>Description</i>	<i>Dated</i>
1	Ex.P1	Notice sent by the defendant to the plaintiffs.	03.02.2011
2	Ex.P2	Notice sent by the plaintiffs to the defendant.	18.02.2011
3	Ex.P3	Acknowledgment card.	21.02.2011
4	Ex.P4	Sale Agreement.	22.10.2010
5	Ex.P5	Copy of the Rejoinder notice.	25.02.2011
6	Ex.P6	Copy of deposit of the title deed.	03.04.2012
7	Ex.P7	Encumbrance certificate.	06.12.2016

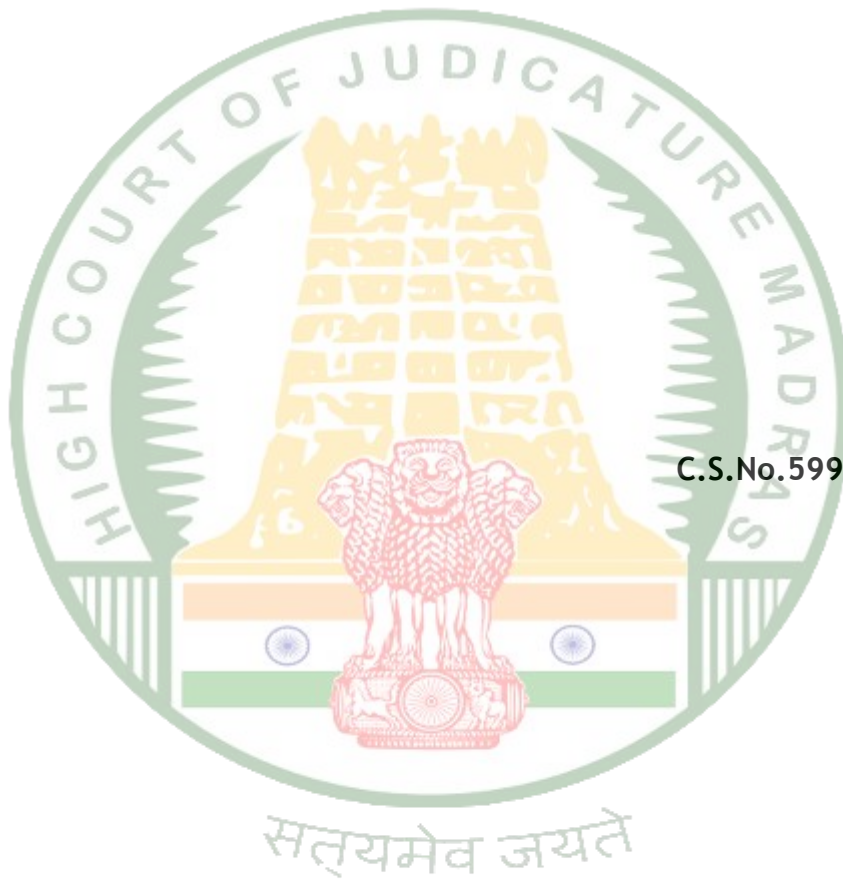
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R.SUBRAMANIAN, J.

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