

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.03.2018

CORAM

THE HON'BLE Mr.JUSTICE A.SELVAM
and
THE HON'BLE Mr.JUSTICE P.KALAIYARASAN

A.S.No.496 of 2013
and M.P.No.1 of 2013

Valliammal

.. Appellant/3rd Defendant

Vs

1.N.Subramanian

2.Sellammal [deceased]

3.Velammal [deceased]

4.N.Saraswathi

.. Respondents

[R4 impleaded vide order of the Court
dt.13.7.15 made in M.P.No.2/2015]

First Appeal preferred under Section 96 of the Code of Civil
Procedure, 1908, against the judgment and decree dated
28.03.2013 made in O.S.No.780 of 2008 by the IV Additional
District Judge, Coimbatore.

For Appellant : Mr.S.Subbiah

For Respondents : Mr.M.S.Krishnan, Senior Counsel
for Mr.K.Govi Ganesan for R1

: Mr.T.A.Shagul Hameed for R4

RR2 & 3 : Died

J U D G M E N T

[Judgment of the Court was delivered by A.SELVAM, J.]

The appellant herein has filed an affidavit, wherein, it is
averred to the effect that she is withdrawing the appeal.

2.Considering the affidavit filed by the appellant herself,
this Appeal Suit is dismissed as withdrawn. No costs.

3.The learned counsel appearing for the fourth respondent has represented to the effect that the fourth respondent has not been impleaded in Original Suit No.780 of 2008 and the fourth respondent is also having partible interest in the suit properties. Since the appellant herself has withdrawn the Appeal Suit, the fourth respondent is directed to workout her remedy in the final decree proceedings.

Connected Miscellaneous Petition also dismissed.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

gya

To

1. IV Additional District Court,
Coimbatore.
2. The Section officer
VR Section, High Court, Madras 104.
- +3 Ccs to Mr.K. Goviganesan, advocate sr 21542.
- +2 Ccs to Mr.T.A. Shagul Hamed, Advocate sr 21466.
- +1 CC to Mrs. Elizabeth Ravi, Advocate sr 21616.

सत्यमेव जयते

A.S.No.496 of 2013
and
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EV(CO)
SP(05/04/2018)

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