

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

I.A.No.1 of 2018

In / and

APPEAL SUIT No.2265 OF 2000

JUDGMENT:

This first appeal suit, under Section 96 of the Code of Civil Procedure, 1908, by the unsuccessful plaintiff is directed against the judgment and decree, dated 17.02.2000, of the learned Senior Civil Judge, Adoni, passed in OS.No.11 of 1994.

I.A.No.1 of 2018 is filed by the petitioner-appellant, *inter alia*, contending as follows: - 'He addressed a letter, dated 30.10.2017, to the former counsel expressing his intention to withdraw the appeal suit and requesting to return the bundle; though the said letter was received and acknowledged by the former counsel, he has not received any response from the said counsel and no steps for withdrawing the appeal suit and returning the case bundle were taken by the counsel; hence, the present application is filed requesting to permit him to be represented by Smt. P. Padmavathi, learned counsel, after necessary permission to change the former counsel; and, to withdraw the appeal suit.'

I have heard the submissions of Smt. P. Padmavathi, learned counsel appearing for the petitioner-appellant. I have perused the material record including the affidavit filed in support of the petition.

In the circumstances stated in the petition, permission is accorded to the present counsel, Smt. P. Padmavathi, to represent the appellant. IA.No.1 of 2018 is accordingly ordered.

In the affidavit, the petitioner-appellant expressed his intention to withdraw the instant appeal and sought permission.

Permission as sought for is accorded.

Accordingly, the appeal suit is dismissed as withdrawn. No order as to costs.

M.SEETHARAMA MURTI, J

March 14, 2018
RNS

