

IN THE HIGH COURT OF JUDICATURE AT MADRAS
Dated : 09.01.2019

CORAM
The HONOURABLE MS.JUSTICE P.T.ASHA

A.S.No.862 of 2018
and
C.M.P.No.22768 of 2018

Mr.Somasundaram

...Appellant

Versus

ParameswariAmmal (Deceased)

1.B.Chandra Kumar

2.B.Lakshminarayanan

3.B.Udaya Surian

4.B.Mayura Priyan

5.B.Prem Kumar

6.B.Prameela

7.M.A.Rukmani

8.M.A.Srinivasan

9.M.A.Venkatakrishnan

10.M.A.Narasimhan

11.M.A.Parthasarathy

12.D.C.Foundation (P) Ltd.,

Rep. By its Directors

(1) V.Ramamoorthy

(2) L.N.Janakar

....Respondents

Prayer: Appeal suit filed under Section 96 and Order 41 Rule 1 of the Code of Civil Procedure, to set aside the Judgment and Decree dated 01.09.2018 made in O.S.No.8721 of 2010 on the file of the learned XVIII Additional Judge, City Civil Court, Chennai.

For Appellant : Mr.T.Thiageswaran
for M/s.Waraon and Sai Rams

For Respondents: Mr.Perumbulavil Radhakrishnan
for R1 to R6

ORDER

The learned counsel for the appellant sought permission of this Court to withdraw the appeal and has also made an endorsement to that effect.

2.In view of the submission and endorsement made by the learned counsel for the appellant, this appeal is dismissed as withdrawn. Consequently, connected miscellaneous petition is closed. No costs.

Since the application for setting aside the ex parte decree which was filed before the Trial Court had been numbered, the learned XVIII Additional Judge, City Civil Court, Chennai is directed to dispose of I.A.No.105 of 2017 in O.S.No.8721 of 2010 within a period of one month from the date of receipt of a copy of this order.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mps/mtl

To

The XVIII Additional Judge,
City Civil Court,
Chennai

Copy To:

The Section Officer,
V.R.Section, High Court,
Madras-104.

+lcc to Mr.Perumalbulavil Radhakrishnan, Advocate, S.R.No.2244

A.S.No.862 of 2018
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SVN(CO)

rrs 09/01/2019

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