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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2020

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

A.S.No.739 of 2010

Vijayaraj Kothari

..2nd Defendant/ Appellant

vs.

1. M.Srinivasa Prasad Moturi
carrying on business at
No.4/6, B.N.Road, T.Nagar,
Chennai - 600 017

2. M/s.Subrabhat Engineering
Foundations Private Ltd.,
Registered Office at
No.4/6, B.N.Road, T.Nagar,
Chennai - 600 017

..Plaintiffs 1&2/Respondents 1 &2

3.Baskar Patel

..Defendant 1/Respondents

Appeal filed under Order 41 Rule 1 r/w Section 96 of C.P.C., to set aside the judgment and decree dated 12th July 2004 in O.S.No.8814 of 1996 on the file of I Assistant Judge, City Civil Court, Chennai.

For Appellant : Mr.J.R.K.Bhavanantham

J U D G M E N T

The learned counsel appearing on behalf of the appellant made a submission that the issues between the parties had already been settled out of Court.

2. In view of the fact that the parties had already been settled the issues out of Court and the appeal suit has not been taken up for hearing, the appellant is permitted to withdraw the appeal suit as the issues are settled out of Court.

3. Accordingly, the Registry, High Court of Madras is directed to refund the full amount of Court fee by following the procedures under Section 69-A of the Tamil Nadu Court Fee and Suit Valuation Act, 1955.



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4. Consequently, the appeal suit in A.S.No.739 of 2010 stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Kak

To

The I Assistant Judge,
City Civil Court, Chennai.

Copy to the Section Officer,
V.R.Section, High Court, Chennai - 104.

+1cc to Mr.J.R.K.Bhavanantham, Advocate, S.R.No.8828

A.S.No.739 of 2010

PVS (CO)
KKV/08/07/2020