

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2020

CORAM:

THE HONOURABLE MR.G.K.ILANTHIRAIYAN

S.A.No. 855 of 2005

and

C.M.P.No. 11997 of 2005

1.K.M.Usman

2.K.M.Mumtaz

..Appellants/ Appellants/Defendants

Vs.

C.K.Abdul Rasheed

..Respondent/ Respondent/Plaintiff

Prayer: Second Appeal filed under Section.100 of C.P.C. against the judgment and decree dated 12.04.2004 passed by the Learned Additional District Judge, Fast Track Court - V, Chennai in A.S.No.235 of 2002 and consequently setting aside the Judgement and Decree dated 30.10.2001 passed by the XV Assistant Judge, City Civil Curt, Chennai in O.S.No.8701 of 1998.

For Appellants : Mr.S.J.Raja

For Respondent : Not ready in notice

J U D G M E N T

This second appeal has been filed against the judgment and decree dated 12.04.2004 passed by the Learned Additional District Judge, Fast Track Court - V, Chennai in A.S.No.235 of 2002 and consequently setting aside the Judgement and Decree dated 30.10.2001 passed by the XV Assistant Judge, City Civil Curt, Chennai in O.S.No.8701 of 1998.

2. The learned counsel appearing for the appellants submitted that the matter has been settled out of the Court between the parties and also seeks permission to withdraw the appeal and he has made the following endorsement to that effect:-

"Under senior instruction, we are withdrawing the second appeal as the matter has been peacefully settled."

3. In view of the above, the second appeal is dismissed as withdrawn. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(Cj conf)

//True Copy//

Sub Assistant Registrar

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To:-

1. The Learned Additional District Judge,
Fast Track Court - V, Chennai.
2. The XV Assistant Judge, City Civil Court, Chennai.

S.A.No. 855 of 2005
and

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A.SK(26/02/2020)



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