

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

S.A.No.641 of 2014

1. Manoharan

2.Mrs.Mahalakshmi

... Petitioner

-Vs-

M/s.Masonic Medical Centre for Children
Rep. by its Secretary Mrs.R.Somasundaram,
No.232, Race Court,
Coimbatore - 641 018.

... Respondent

Prayer : Petition filed under Article 227 of the Constitution of India, to set aside the Judgment and Decree dated 21.12.2012 passed in A.S.No.40 of 2012 on the file of the Hon'ble First Additional District Judge, Coimbatore partly confirming the Judgment and Decree dated 02.12.2011 passed in O.S.No.84 of 2008 on the file of the II Additional Subordinate Judge, Coimbatore.

For Petitioners : Mr.Prakash Adiapadam

For Respondent : Mr.P.Saravana Sowmiyan

O R D E R

Mr.P.Saravana Sowmiyan, learned counsel appearing for the respondent, on instructions would submit that the respondent will not enforce the decree granted by the courts below. The statement made by the learned counsel for the respondent is recorded.

2. The learned counsel for the respondent shall file a memo incorporating the instructions received by him from the respondent. It is stated that the appellant has deposited 25 % of the decree amount pursuant to the conditional order made in M.P.No.1 of 2014. The learned counsel for the appellant seeks permission to withdraw the said sum. The learned counsel for the respondent has no objection for the same. Hence, the appellant is permitted to withdraw the 25% of the decree amount deposited

by him to the credit of the suit pursuant to the order dated 20.06.2014 made in M.P.No.1 of 2014.

3. In view of the statement made by the learned counsel for the respondent, this Second Appeal is dismissed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kmm

To

1. The I Additional District Judge,
Coimbatore

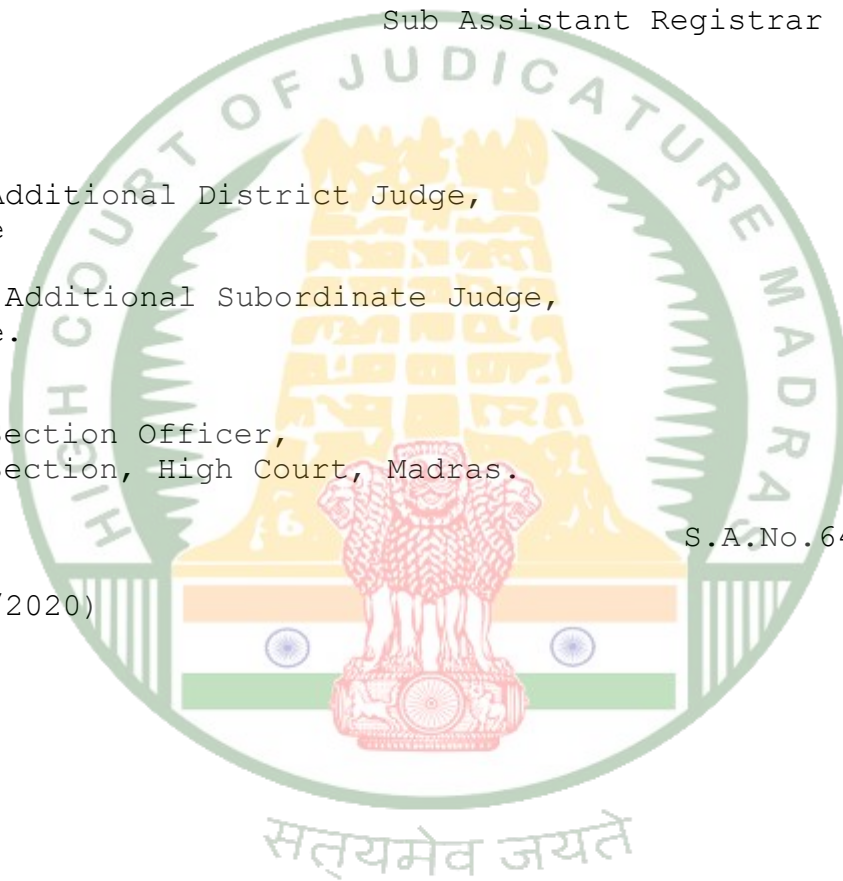
2. The II Additional Subordinate Judge,
Coimbatore.

Copy to:

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

S.A.No.641 of 2014

LN(CO)
RMP(19/11/2020)



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