

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2021

CORAM : JUSTICE N.SESHASAYEE

C.S.No.769 of 2001

Arulmigu Ekambaranathar Thirukoil,
Kancheepuram, Represented by its
Executive Officer.

Plaintiff

Vs.

1. Soora Balasubramaniam Chetty (Since Deceased)
2. Soora Lutchmiah Chetty
3. Soora Ramalingam (Since Deceased)
4. Soora Sivashankar
5. Soora Vatsala
6. Soora Sivaprasad
7. Soora Niranjana
8. Soora Gopalsamy
9. Soora Sivashanmugham
10. Vijayalakshmi
11. Subasree
12. Soora RamGopal
13. The Superintendent,
Postal Stores Department,
Chennai-600 010.
14. The Chief Post-Master General,
Tamilnadu Circle, Chennai-600 002.
15. Manjula
16. Soora Chandramouleeswaran
17. Soora Sudhakar
18. P.Chandrika

... Defendants

[(1) 15th defendant brought on record
as legal representative of the

deceased 3rd defendant as per
Order dated 18.12.2006 in
Appln.No.5146 of 2006 and
time extended dated 12.01.2007.

2.Defendants 16 to 18 brought
on record as legal representatives of
the deceased first defendant
as per Order dated 22.01.2019 in
Appln.No.402 of 2019]

PRAYER : Civil Suit filed under Order VII Rule 1 of C.P.C., and under
Order IV Rule 1 of O.S.Rules, prays for a decree and judgment:

- (a) for recovery of vacant possession of the piece of land bearing Municipal Corporation Door No.772, Poonamallee High Road, Chennai-600 010 morefully and particularly described in the schedule hereunder;
- (b) for recovery of arrears of rent Rs.385/- for the period from 21.10.97 to 20.11.98 at the rate of (Rs.352.12/-) per annum) Rs.29.34 P.M.
- (c) For recovery of damages for use and occupation at the rate of Rs.9,85,950/- per month from 21.11.98 to 30.9.2000 being Rs.2,20,19,550/- but restricted to Rs.27,37,500/-.
- (d) For recovery of damages for use and occupation at Rs.9,85,950/- per month from 1.10.2000 and at the same rate, till the date of recovery of possession of the property.
- (e) The defendants for recovery of costs of the suits and
- (f) the defendants for grant of such or other reliefs as may be deemed fit and proper under the circumstances of the case.

For Plaintiff : M/s.M.R.Uma Vijayan
For Defendants : Mr.P.B.Balaji [for D16]
Mr.R.Thirugnanam [for D17]
D18 – Set Exparte

JUDGMENT

The learned counsel for the plaintiff seeks leave of the Court to withdraw the suit with a liberty to proceed against the Defendants under Sections 78 & 79 of HR & CE Act and to refund the appropriate Court fee paid after withdrawal and also submitted that leave has already granted by the Commissioner, HR & CE vide letter dated 28.07.2021 ref.No.Se.Mu.Pa.Mu.No:51017/D4.

2. In view of the submission made by the learned counsel for the plaintiff, this suit is dismissed as withdrawn. No costs.

3. The Registry is directed to refund the Court fee as per law.

11.08.2021

Index : Yes / No
Internet:Yes/No
ssn

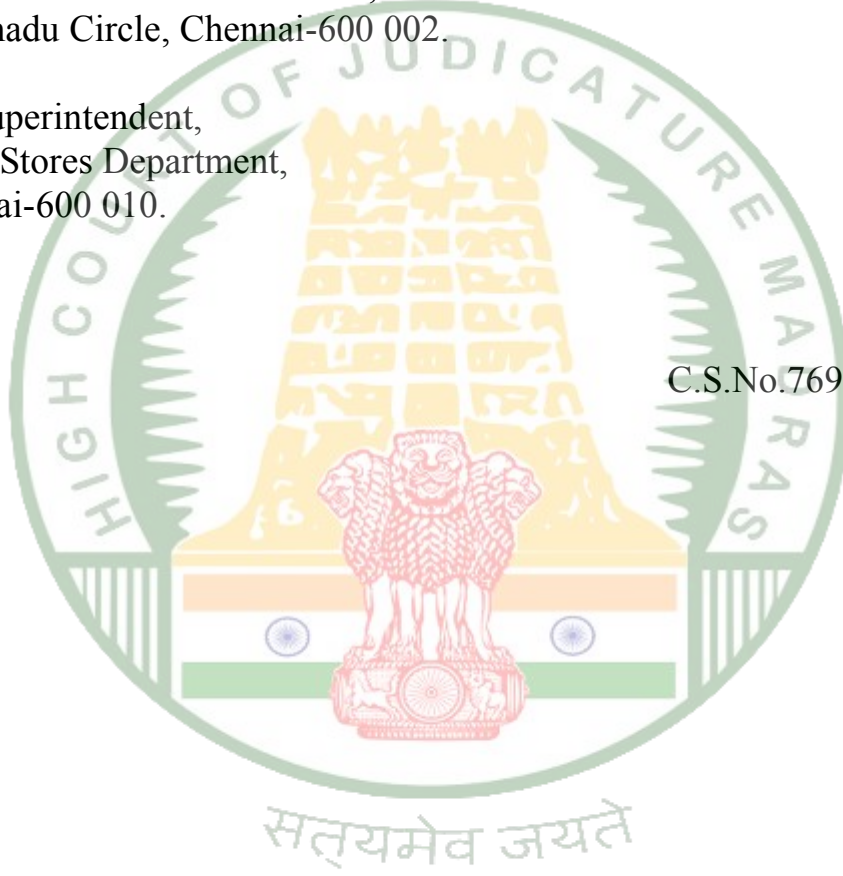
C.S.No.769 of 2001

N.SESHASAYEE.J.,

ssn

To

1. The Chief Post-Master General,
Tamilnadu Circle, Chennai-600 002.
2. The Superintendent,
Postal Stores Department,
Chennai-600 010.



C.S.No.769 of 2001

WEB COPY

11.08.2021