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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

S.A. No.1266 of 2010
and M.P. No.1 of 2010

Nadanam

... Appellant /Defendant

versus

1.Renganathan
2.Sangaravadivelan

... Respondents /Plaintiffs

PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code, against the judgment and decree dated 31.03.2010 made in A.S.No.8 of 2009 on the file of the learned Additional Subordinate Judge, Myladuthurai, confirming the judgment and decree dated 23.10.2008 made in I.A.No.413 of 2007 in O.S.No.99 of 2003 on the file of the learned Principal District Munsif, Myladuthurai.

For Appellant : Mr.A.Thameem Mohideen

For Respondent No.1 : No Appearance

For Respondent No.2 : Mr.S.Sounthar

J U D G M E N T

Today, when this Second Appeal is taken up for hearing, the learned counsel appearing for the appellant appeared before this Court and filed a memo for withdrawing this appeal stating that, the dispute between the appellant and the respondents, is settled in out of Court. In this regard, the learned counsel appearing for the second respondent would submit that, the dispute between the appellant and the respondents, is not settled. The submission made by the learned counsel for the second respondent, is recorded.

2.On considering the said submissions with the relevant records, whether the dispute is settled or not settled, it is for the appellant to take a decision for proceeding with the



appeal or not. Hence, the submission made by the learned counsel for the second respondent, is no way would affect the contents of the memo filed by the appellant. Accordingly, the memo filed by the learned counsel for the appellant is recorded.

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3.Hence, in view of the same, this Second Appeal is dismissed as withdrawn. Consequently, connected Miscellaneous Petition is closed. However, there is no order as to costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

sri
To

1.The Additional Subordinate Judge,
Myladuthurai.

2.The Principal District Munsif,
Myladuthurai.

Copy to

The Section Officer,
VR Section, High Court,
Madras.

+1cc to Mr.S.Sounther, Advocate Sr.64495

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kg[co]
srg 16/12/2021