



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2021

CORAM :

THE HONOURABLE MS.JUSTICE P.T.ASHA

A.S.NO.492 OF 2018

AND

C.M.P.NO.12732 OF 2018

Amutha

...Appellant / 8th Defendant

Vs

1.K.Balaji
2.K.Kamalam (**died**)
3.Chitra
4.M.Ashok (**Minor**)
5.Dhanalakshmi (**Minor**)
6.K.Ravichandiran
7.Usha Rani
8.Thenmozhi

...Respondents / Plaintiff &
Defendants 1 to 7

(R2-died vide memo in SR No.26947 dt 09.09.2021,
R4 & R5 are minors rep. by her mother ***Chitra,**
***3rd** respondent herein.)

PRAYER : Appeal Suit filed under Section 96 of the Code of Civil Procedure r/w Order XLI Rule 1 of C.P.C., to set aside the Judgment and Decree in O.S.No.29 of 2016 dated 31.10.2017 on the file of III Additional District Court, Ponnammalle, Tiruvallur

For Appellant : Mr.S.Sarath Chandran

For Respondents : Mr.A.Ramaswamy for R7 & R8
No appearance for R1, R3 & R6
[Respondents 4 & 5 are minors,
represented by R3]

JUDGMENT

A letter has been circulated by the learned Counsel appearing for the appellant that he has received a letter from the his client, stating that she does not wish to proceed further in the matter and a settlement has been arrived between the parties. She seeks permission of this Court to withdraw this petition.



2. Mr.A.Ramaswamy, learned Counsel has entered appearance for the respondents 7 and 8.

3. Two memos' have been filed by the ***7th and 8th respondents** stating

(a) That the second respondent / first defendant died on 12.10.2020 enclosing a copy of the death certificate.

(b) That the additional witness Mr.P.Victor Jeyaraj who was sought to be examined in the above first appeal is no more.

4.The above memos' are taken on file and recorded. Since the parties have settled the issue and the appellant does not wish to proceed with the matter no further orders on the memo is required. In fine, the first appeal is dismissed as 'settled out of Court'. No further orders to cost. Consequently, the connected C.M.P is closed.

Sd/-

Assistant Registrar

Dated : 11/01/2022

***Corrected as per Order
dated 29.09.2021 made in
A.S.No.492 of 2018**

Sd/-

Assistant Registrar

Dated : 11/01/2022

// True Copy //

Sub Assistant Registrar

gd/vkr

To

The Additional District Court,
Poonamalle, Tiruvallur.

Copy To

The Section Officer,
V.R.Section,
High Court, Madras-104.

+1cc to Mr.S.Sarath Chandran, Advocate SR.No.45796

A.S.No.492 of 2018 and
C.M.P.No.12732 of 2018

RSI(CO)
RVM(12/01/2022)