

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2021

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

C.M.A.No.3256 of 2019
C.M.P.No.18690 of 2019

Yagou Gine Vinoline ...Appellant/5th Respondent

Vs.

1.Marie Josephine Leonie ...1st Respondent/Plaintiff

Appaire Theresa Flora (died)
rep.by her Lrs.Respondents 3 to 5

2.Aroquiamarie Monique Appaire

3.Appaire Marie Lourdes Genevieve-Appaire

4.Jeanne Marie Vizea-Appaire Respondents 2 to 4/
Respondent 2 to 4

Prayer : Civil Miscellaneous Appeal filed under Order 43 Rule 1 (u) of CPC, to set aside the impugned Judgment and Decree dated 01.02.2019 in A.S.No.9 of 2017 on the file of Additional Sub-Judge Court, Puducherry by remanding back O.S.No.2209/2014 to the Principal District Munsif Court, Puducherry and allow this Civil Miscellaneous Application with cost.

For Appellant : Mr.P.Soundarajan

For Respondents : RR2 to 4-dispense with memo
filed

WEB COPY
J U D G M E N T

The learned counsel for the appellant after arguing the matter for some time made a submission that the appellant will contest the suit on merits and the grounds raised in the appeal on hand shall be raised before the trial Court. Therefore, the learned counsel for the appellant seeks permission of this Court to withdraw this petition.

2. In view of the endorsement made by the learned counsel appearing for the appellant, the Civil Miscellaneous Appeal stands dismissed as withdrawn. It is needless to state

that the grounds raised in the appeal can be raised by the parties concerned before the trial Court. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

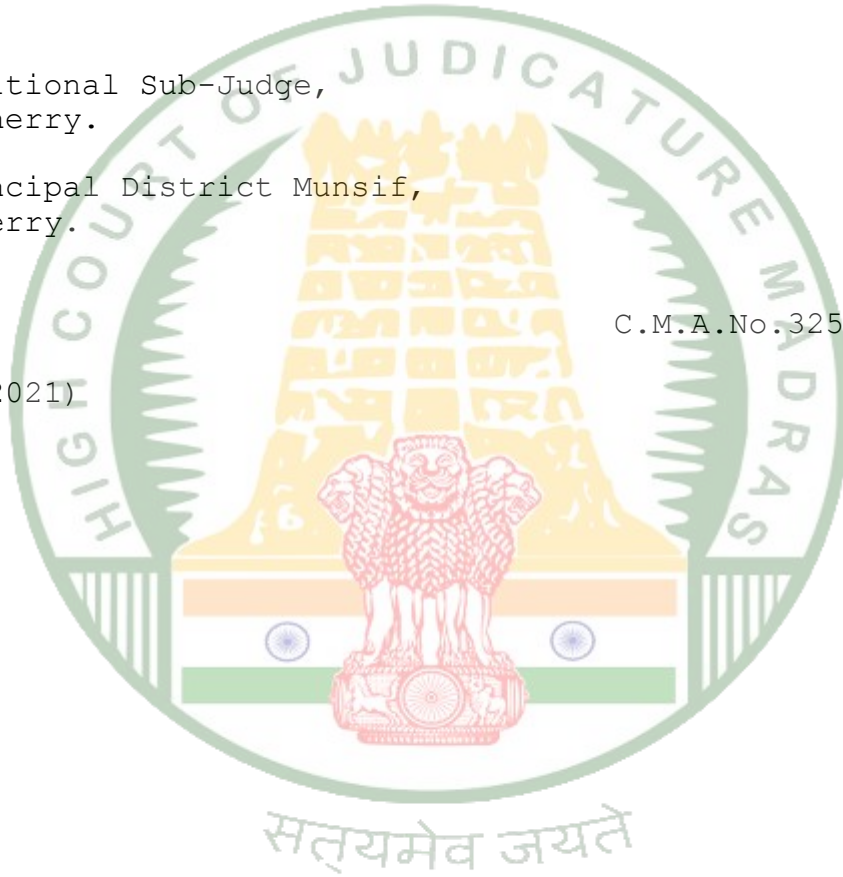
ssb

To

- 1.The Additional Sub-Judge,
Puducherry.
- 2.The Principal District Munsif,
Puducherry.

C.M.A.No.3256 of 2019

SSI (CO)
CB(03/03/2021)



WEB COPY