



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 25TH DAY OF OCTOBER 2021

THE HON'BLE MR. JUSTICE N.SESHASAYEE

C.S.No.954 of 2017

C.Kadumbadi
S/o. Late Chockalingam,
13/2, Vijayaraghavan Street,
Teacher Ramachandran Nagar,
West Saidapet, Chennai – 600 015. ... Plaintiff

Vs

1.Kuttiammal
W/o. Munusamy
12/3, Vijayaraghavan Street,
Teacher Ramachandran Nagar,
West Saidapet,
Chennai – 600 015.

2.N.Rajeswari
W/o. Nagappan,
13/5, Venugopal Street,
Teacher Ramachandran Street,
West Saidapet,
Chennai – 600 015. ... Defendants

C.S.No.954 of 2017

Civil Suit praying that this Hon'ble Court be pleased to pass a judgment
and Decree in his favour and as against the Defendants:

(a) Pass a Preliminary Decree for Partition and separate
possession by dividing the suit properties into three equal shares and allot
1/3rd share to the plaintiff;



divide the suit properties by metes and bounds and put the plaintiff in effective possession thereof;

(c) Award costs of the present suit and

This civil suit coming on this day before this court for hearing in the presence of Mr.N. Damodaran, advocate for the plaintiff herein and upon reading the plaint and memo filed herein and the learned counsel for the plaintiff seeks the leave of the court to withdraw the suit as the parties have amicably settled the matter between them outside the court and to that effect he had filed a memo and this court doth recording the said memo and

it is ordered as follow:-

That the suit in C.S.No. 954 of 2017, be and is hereby dismissed as settled out of court.

2) That a certificate under section 69 of the Tamil Nadu Court fees and suits Valuation Act XIV of 1955 (Amended Act), do issue herein, out of and under the seal of this court in Favour of C. Kadumbadi, the plaintiff herein, authorising him to receive from the pay and Accounts office, High Court, Chennai, a sum of Rs. 10,000/- (Rupees Ten Thousand Only) being the entire court fee paid on the plaint by the plaintiff herein.

3) That there shall be no costs of this suit.

(Memo)



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NS
18.11.2021
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C.S.No. 954 of 2017

ORDER
DATED 25/10/2021

THE HON'BLE MR.JUSTICE
N.SESHASAYEE

FOR APPROVAL: 03/01/2022

APPROVED ON: 04/01/2022



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2021

CORAM : JUSTICE N.SESHASAYEE

C.S.No.954 of 2017

C.Kadumbadi

...Plaintiff

Vs.

1.Kuttiammal

2.N.Rajeswari

... Defendants

PRAYER : Civil Suit filed under Order VII Rule 1 C.P.C read with Order IV Rule 1 of Original Side Rules :

- (a) Pass a Preliminary Decree for Partition and separate possession by dividing the suit properties into three equal shares and allot 1/3rd share to the plaintiff;
- (b) To direct appointment of an Advocate Commissioner to divide the suit properties by metes and bounds and put the plaintiff in effective possession thereof;
- (c) Award costs of the present suit and
- (d) Grant such other relief as the plaintiff herein is entitled to and thus render justice.

For Plaintiff : Mr.N.Damodaran

JUDGMENT

The learned counsel for the plaintiff seeks the leave of the Court to

withdraw the suit as the parties have amicably settled the matter between



them outside the Court.

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2.A Memo to that effect it filed and the same is recorded.

3.The suit is dismissed as settled out of Court. No costs. The Registry is required to refund the Court fee as per law.

Sd/ N.S.S.J.
25/10/2021

//Certified to be true copy//
Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.